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90th Congress }
2d Session }
COMMITTEE PRINT

ENACTMENTS BY THE 90TH CONGRESS CONCERNING EDUCATION AND TRAINING

First Session 1967

(With Related Presidential Recommendations,
Legislative Histories of the Bills, and
Digests of the Enactments)

PREPARED IN THE
LEGISLATIVE REFERENCE SERVICE
OF THE
LIBRARY OF CONGRESS
FOR THE
COMMITTEE ON LABOR AND
PUBLIC WELFARE
UNITED STATES SENATE

Part 1

JUNE 1968

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Printed for the use of the Committee on Labor and Public Welfare

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LETTER OF TRANSMITTAL

MARCH 8, 1968.

HON. WAYNE MORSE,
Chairman, Subcommittee on Education, Senate Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

DEAR SENATOR MORSE: In response to your request, I am transmitting a report entitled "Enactments by the 90th Congress Concerning Education and Training, First Session, 1967." Excepting the appendix, the report was prepared by Charles A. Quattlebaum, specialist in education on the staff of the Senior Specialists Division of the Legislative Reference Service. The appendix was prepared by Keith D. Dunnigan, on the staff of the American Law Division of the Service.

The purpose and scope of the report are briefly stated in the introduction.

LESTER S. JAYSON,
Director, Legislative Reference Service.

FOREWORD

At my request the Legislative Reference Service of the Library of Congress has performed a public service in preparing for the use of the Subcommittee on Education of the Senate Committee on Labor and Public Welfare the enactments of the first session of the 90th Congress.

The present work is the fourth so prepared for our use. It was preceded by the "Enactments of the Second Session of the 89th Congress," the "Enactments of the First Session of the 89th Congress," and by the "Enactments of the 88th Congress," each of which has been most useful to the committee and, I hope as well to senatorial offices and members of the educational community.

Much has been accomplished in the field of educational legislation in the past 5 years. A foundation has been laid in the 90th Congress upon which we can build. The materials which follow will be most valuable to us as we take up the recommendations which will come forth in this year.

On behalf of my colleagues on the subcommittee I wish to express to the Library of Congress my appreciation for the time and effort expended by Mr. Charles Quattlebaum, specialist in education, Senior Specialist Division, who prepared the legislative histories and summaries of the bills and to the American Law Division of the Legislative Reference Service, which is responsible for the preparation of the Annotated Statutes which conclude the volume.

WAYNE MORSE,
Chairman, Education Subcommittee.

CONTENTS

Page

Chapter I. Introduction 1
  1. Purpose of this report 1
  2. Scope of the report 1
  3. Sources 1

Chapter II. Bills reported from the Committee on Labor and Public Welfare 2
  1. Mental Health Amendments of 1967: Training or demonstration projects 2
    A. Legislative history 2
    B. Provision for training 2
  2. Conveyance of land to Memphis State University 4
    A. Legislative history 4
    B. Digest of the act 4
    C. Text of the act 4
  3. Education Professions Development Act 5
    A. Legislative history 5
    B. Some press comments 6
    C. Digest of the act 6
    D. Text of the act 7
  4. Older Americans Act Amendments of 1967 22
    A. Legislative history 22
    B. Digest of the act 23
    C. Text of the law 23
  5. Amendment of the college work-study program 25
    A. Legislative history 25
    B. Digest of the act 26
    C. Text of the act 26
  6. Vocational Rehabilitation Amendments of 1967 26
    A. Legislative history 26
    B. Digest of the act 27
    C. Text of the act 28
  7. Library Services and Construction Act Amendments 31
    A. Legislative history 31
    B. Digest of the act 31
    C. Text of the act 31
  8. Mental Retardation Amendments of 1967 32
    A. Legislative history 32
    B. Digest of the act 32
    C. Text of the act 33
  9. Partnership for Health Amendments of 1967 39
    A. Legislative history 39
    B. Digest of the act 39
    C. Text of the act 40
  10. Conveyance of certain property to Temple Junior College 52
    A. Legislative history 52
    B. Digest of the act 52
    C. Text of the act 52
  11. Economic Opportunity Amendments of 1967 53
    A. Legislative history 53
    B. Some press comments 53
    C. Digest of the act 54
    D. Text of the act 56
  12. Elementary and Secondary Education Amendments of 1967 92
    A. Legislative history 92
    B. Some press comments 92
    C. Digest of the act 93
    D. Text of the act 96

Page

Chapter III. Bills reported from other committees of the Senate 143
- 1. Second Supplemental Appropriation Act, 1967 143
  - A. Legislative history 143
  - B. Summary of appropriations affecting education and training 143
  - C. Text of provisions affecting education and training 144
- 2. Universal Military Training and Service Act amendments 147
  - A. Legislative history 147
  - B. Digest of the act 148
  - C. Text of the act 149
- 3. Authorization for certain States to use income from certain lands for educational purposes 157
  - A. Legislative history 157
  - B. Digest of the act 157
  - C. Text of the act 157
- 4. Extension of Housing Act fellowship program 158
  - A. Legislative history 158
  - B. Digest of the act 158
  - C. Text of the act 158
- 5. National Aeronautics and Space Administration Authorization Act, 1968 158
  - A. Legislative history 158
  - B. Summary of provisions affecting education and training 159
  - C. Partial text of the act 159
- 6. Veterans' Pension and Readjustment Assistance Act of 1967: Provisions concerning education and training 160
  - A. Legislative history 160
  - B. Digest of provisions concerning education and training 161
  - C. Text of provisions concerning education and training 162
- 7. Property limit increase for the American Academy in Rome 169
  - A. Legislative history 169
  - B. Digest of the act 170
  - C. Text of the act 170
- 8. Requirement of future authorization for certain Maritime Administration programs 170
  - A. Legislative history 170
  - B. Digest of the act 170
  - C. Text of the act 170
- 9. Department of Defense Appropriation Act, 1968 171
  - A. Legislative history 171
  - B. Summary of some of the appropriations affecting education and training 171
  - C. Text of the act 172
- 10. Appalachian Regional Development Act, and Public Works and Economic Development Act: 1967 amendments 178
  - A. Legislative history 178
  - B. Summary of provisions concerning education and training 179
  - C. Partial text of the act 179
- 11. Department of Transportation Appropriation Act, 1968 183
  - A. Legislative history 183
  - B. Digest of provisions concerning education and training 183
  - C. Text of provisions concerning education and training 183
- 12. Department of Agriculture and Related Agencies Appropriation Act, 1968 185
  - A. Legislative history 185
  - B. Digest of provisions concerning education and training 185
  - C. Text of certain provisions of the law 186
- 13. Independent Offices and Department of Housing and Urban Development Appropriation Act, 1968 188
  - A. Legislative history 188
  - B. Digest of appropriations affecting education and training 188
  - C. Text of provisions affecting education and training 189
- 14. Increase of funds for development of the Ryukyu Islands: Including funds for technical education and training 190
  - A. Legislative history 190
  - B. Digest of the act 191
  - C. Text of the act 191

Chapter III, Bills reported from other committees of the Senate—Con. Page

15. Public Broadcasting Act of 1967 191
  A. Legislative history 191
  B. Digest of the act 191
  C. Text of the act 193
16. Departments of Labor and Health, Education, and Welfare Appropriation Act, 1968 203
  A. Legislative history 203
  B. Summary of certain appropriations for educational and training purposes 204
  C. Text of certain provisions of the act 205
17. Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act, 1968 216
  A. Legislative history 216
  B. Summary of some appropriations affecting education and training 217
  C. Text of some appropriations affecting education and training 217
18. Foreign Assistance Act of 1967: Provisions affecting education and training 223
  A. Legislative history 223
  B. Summary of provisions affecting education and training 224
  C. Text of provisions affecting education and training 224
19. Air Quality Act of 1967: Provisions concerning research and training 233
  A. Legislative history 233
  B. Summary of certain provisions concerning training and research 233
  C. Text of certain provisions concerning education and training 234
20. Reserve Forces Bill of Rights and Vitalization Act: Provisions concerning training 238
  A. Legislative history 238
  B. Summary of provisions concerning training 238
  C. Text of provisions concerning training 239
21. Facilitation of exchanges of land under the act of March 20, 1922, for public schools 240
  A. Legislative history 240
  B. Digest of the act 240
  C. Text of the act 240
22. Peace Corps Act Amendment of 1967 241
  A. Legislative history 241
  B. Digest of the act 242
  C. Text of the act 242
23. Atomic Energy Act Amendment: Additional research and training authority 242
  A. Legislative history 242
  B. Digest of provision concerning research and training 242
  C. Text of provision concerning research and training 242
24. Postal Revenue and Federal Salary Act of 1967: Provisions affecting education 243
  A. Legislative history 243
  B. Summary of provision affecting education 243
  C. Text of provisions affecting education 244
25. Amendment of District of Columbia Teachers' Leave Act 248
  A. Legislative history 248
  B. Digest of the act 248
  C. Test of the act 248
26. Amendment of District of Columbia Public-School Teachers' Retirement Act 249
  A. Legislative history 249
  B. Digest of the act 249
  C. Text of the act 250
27. Foreign Assistance and Related Agencies Appropriation Act, 1968: Appropriations affecting education and training 255
  A. Legislative history 255
  B. Summary of certain appropriations affecting education and training 256
  C. Text of certain appropriations affecting education and training 257

Page
Chapter IV. Summary of the legislation 261
1. Bills reported from the Committee on Labor and Public Welfare 261
2. Bills reported from other committees of the Senate 262
Chapter V. Presidential recommendations and statements concerning education and training, 1967 265
1. Lyndon B. Johnson Australian science scholars, January 5, 1967 265
2. The State of the Union, January 10, 1967 266
3. Appalachian regional development, January 20, 1967 267
4. A program for older Americans, January 23, 1967 267
5. The budget message, January 24, 1967 268
6. The District of Columbia budget message, January 25, 1967 269
7. The Economic Report for 1967, January 26, 1967 271
8. America's servicemen and veterans, January 31, 1967 272
9. Crime in America, February 6, 1967 273
10. America's children and youth, February 8, 1967 273
11. Foreign aid, February 9, 1967 278
12. National Endowment for the Arts, February 15, 1967 278
13. National Endowment for the Humanities, February 15, 1967 279
14. Equal justice, February 15, 1967 280
15. Vocational and technical education, February 23, 1967 282
16. Education and health in America, February 28, 1967 282
17. Howard University, March 2, 1967 291
18. U.S. Office of Education, March 2, 1967 293
19. Community work and training, March 6, 1967 295
20. Columbia, Tenn., March 15, 1967 296
21. The quality of American Government, March 17, 1967 297
22. Youth Temperance Education Week, March 24, 1967 298
23. Educational opportunity grants, April 5, 1967 300
24. National Science Foundation, April 6, 1967 301
25. National Teacher of the Year Award, April 19, 1967 303
26. Evaluation of the Teacher Corps, April 20, 1967 304
27. Training of Federal Government employees, April 20, 1967 305
28. National Advisory Council on Extension and Continuing Education, April 21, 1967 307
29. American Physical Society, April 26, 1967 308
30. Crossland Vocational Center, April 27, 1967 308
31. Manpower report of the President, May 1, 1967 311
32. White House fellows, May 1, 1967 321
33. Mayor Tom Miller of Austin, Tex., May 6, 1967 324
34. Conference on women in the war on poverty, May 8, 1967 324
35. International Center for Advanced Study in the Health Sciences, May 10, 1967 325
36. *International Center for Advanced Study in the Health Sciences,* May 10, 1967 325
37. Special international exhibitions, May 31, 1967 326
38. Equal Employment Opportunity Commission, June 9, 1967 327
39. Capitol Page School, June 13, 1967 327
40. Presidential scholars, June 13, 1967 328
41. Status of American museums, June 21, 1967 330
42. Office of Economic Opportunity, June 22, 1967 331
43. The Teacher Corps, June 29, 1967 332
44. Federal assistance programs for college students, July 8, 1967 332
45. Guaranteed loan program for college students, August 9, 1967 334
46. American Education Week, 1967, August 12, 1967 336
47. International educational and cultural exchange program, August 14, 1967 337
48. Urban studies fellowship program, August 19, 1967 338
49. College work-study program, September 7, 1967 339
50. National Advisory Council on Education Professions Development, September 22, 1967 340
51. Vocational rehabilitation, October 3, 1967 340

Chapter V. Presidential recommendations and statements concerning education and training, 1967—Continued

Page
52. International Conference on the World Crisis in Education, October 8, 1967 — 343
53. Health manpower, October 16, 1967 — 346
54. Texas Technological College, October 26, 1967 — 347
55. Social and economic condition of Negroes in the United States, November 2, 1967 — 349
56. Public Broadcasting Act of 1967, November 7, 1967 — 350
57. Convention of educational leaders, November 15, 1967 — 353
58. Library Services and Construction Act amendments, November 24, 1967 — 357
59. Mental Retardation Amendments of 1967, December 4, 1967 — 358
60. 200th anniversary of the Encyclopaedia Britannica, December 14, 1967 — 360

APPENDIX

Text of major education and training laws as amended by the 90th Congress, first session — 367
1. Elementary and Secondary Education Act of 1965, as amended — 367
2. Public Law 874, Sept. 30, 1950, as amended. (Financial assistance to local educational agencies in areas affected by Federal activities and for the education of children of low-income families) — 429
3. Public Law 815, Sept. 23, 1950, as amended. (School construction in areas affected by Federal activities) — 465
4. Adult Education Act of 1966, as amended — 485
5. Cooperative Research Act, as amended — 493
6. Higher Education Act of 1965, as amended — 499
7. National Defense Education Act of 1958, as amended — 563
8. Fellowships for urban studies—title VIII of the Housing Act of 1964, as amended — 599
9. Educational Broadcasting—title III, part IV of The Communications Act of 1934, as amended — 601
10. Vocational Rehabilitation Act, as amended — 615
11. Loan service of captioned films and educational media for the deaf and handicapped (Public Law 85–905), as amended — 639
12. Grants for teaching in the education of handicapped children (Public Law 85–926), as amended — 643
13. Training of teachers of mentally retarded and other handicapped children—title III of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, as amended — 647
14. Youth work-study programs—title I, part C of the Economic Opportunity Act of 1964, as amended — 653
15. Veterans' Readjustment Benefits Act of 1966, as amended — 659
16. Library Services and Construction Act, as amended — 695

ENACTMENTS BY THE 90TH CONGRESS CONCERNING EDUCATION AND TRAINING, FIRST SESSION, 1967

CHAPTER I. INTRODUCTION

1. PURPOSE OF THIS REPORT

The main purpose of this report is to provide a comprehensive record of the enactments by the 90th Congress during its first session, 1967, concerning education and training. Besides giving the texts of the enactments, the report presents digests of these laws, with particular reference to their educational and training features or aspects. The report also cites related recommendations and statements by President Johnson, and summarizes the legislative histories of the enacted bills containing educational and training provisions of significance. The report incidentally includes some selected comments from the public press relative to action on some of these bills.

2. SCOPE OF THE REPORT

This report covers legislation relating generally to education and training. In the broadest sense, the former term includes the latter. It would be presumptuous, however, to attempt to define in this report precisely what legislation Congress would consider pertinent to or affecting education. Since the report is intended to be comprehensive, it includes acts relating to training as well as those relating to education, and acts concerning students, teachers, or educational institutions. Thus, the report covers a variety of legislation and legislative objectives. Apart from the omission of some appropriation measures,[1] the aim is to include both legislation involving direct Federal financing and administration of educational and training activities, and legislation involving forms of Federal aid to States, localities, institutions, and individuals in these fields. In some instances the legislative provisions included are subsidiary parts of legislation principally concerned with other matters. In brief, what is here presented in a panoramic view of many diverse measures of current interest concerning education and training.

3. SOURCES

The information brought together and summarized in this report has been obtained principally from the weekly compilation of Presidential Documents, the daily Congressional Record, the Congressional Directory, the Calendars of the House of Representatives, the Digest of Public General Bills and Selected Resolutions, the texts of the bills dealt with, the House and Senate hearings and committee reports on these bills, and the Statutes at Large. Some other sources are cited in footnotes.

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[1] Most of the departments and independent agencies of the Government administer some educational or training programs. This report includes certain appropriations for only the U.S. Office of Education and some of the larger programs of other agencies affecting education and training, for the fiscal year 1968.

CHAPTER II. BILLS REPORTED FROM THE COMMITTEE ON LABOR AND PUBLIC WELFARE

The Legislative Reorganization Act of 1946, which, as amended, is currently effective, lists measures relating to education, labor or public welfare first among those activities to be referred to the Senate Committee on Labor and Public Welfare. Other measures concerned with education and training which are named to be referred to that committee include those relating to vocational rehabilitation, education of veterans, and Howard University. However, the act requires that certain other measures which involve education and training be referred to other named committees of the Senate. For example, the act directs referral of bills relating to the education of Indians to the Senate Committee on Public Lands.

In order to show to some extent the volume of education and training legislation considered by the Committee on Labor and Public Welfare in 1967, the following pages will list first, in chronological order of approval by the President, the enactments which, in the eariler forms of bills, were referred to that committee. The acts which in their earlier forms were referred to other committees of the Senate will be listed in a later chapter, likewise in the order of approval of the acts by the President.

The reference to hearings are to those printed by February 15, 1968.

1. MENTAL HEALTH AMENDMENTS OF 1967: TRAINING OR DEMONSTRATION PROJECTS

(Public Law 90-31, approved June 24, 1967)

A. Legislative History

H.R. 6431, the Mental Health Amendments of 1967, was introduced on March 1, 1967, by Representative Harley O. Staggers, of West Virginia. The bill was referred to the Committee on Interstate and Foreign Commerce. Hearings on the bill were held before the Subcommittee on Public Health and Welfare of the Committee on Interstate and Foreign Commerce on April 4 and 5, 1967.

The bill was reported in the House on April 25, 1967 (H. Rept. 212). It passed the House on May 17, 1967. It was reported in the Senate, from the Committee on Labor and Public Welfare, on June 7, 1967 (S. Rept. 294). It passed the Senate on June 8, 1967. It was approved on June 24, 1967 and became Public Law 90-31.

B. Provision for Training

Besides its other provisions, Public Law 90-31 adds a new section (sec. 507) to the Public Health Service Act (42 U.S.C. 224) reading as follows:

Appropriations to the Public Health Service available for research, training, or demonstration project grants pursuant to this Act shall also be available, on the same terms and conditions as apply to non-Federal institutions, for grants for the same purpose to hospitals of the Service, of the Veterans' Administration, or of the Bureau of Prisons of the Department of Justice, and to Saint Elizabeths Hospital.

2. CONVEYANCE OF LAND TO MEMPHIS STATE UNIVERSITY

(Public Law 90–32, approved June 28, 1967)

A. Legislative History

H.R. 4717 was introduced on February 2, 1967, by Representative Robert A. Everett, of Tennessee. The bill was referred to the Committee on Veterans' Affairs. It was reported from that committee on March 15, 1967 (H. Rept. 127). It passed the House on April 3, 1967.

In the Senate, hearings on S. 619, a bill similar to H.R. 4717, were held before the Subcommittee on Veterans' Affairs, of the Committee on Labor and Public Welfare, on April 5, 1967.

H.R. 4717 was reported in the Senate, from the Committee on Labor and Public Welfare, on June 7, 1967 (S. Rept. 293). It passed the Senate, amended, on June 8, 1967. The House agreed to the Senate amendments on June 21, 1967. The act was approved on June 28, 1967, and became Public Law 90–32.

B. Digest of the Act

The act directs the Administration of Veterans' Affairs to convey without consideration, certain lands owned by the United States to the State of Tennessee for the use of Memphis State University, Memphis, Tenn.

C. Text of the Act

Following is the text of Public Law 90–32:

81 Stat. 80.

AN ACT To authorize the conveyance of certain lands owned by the United States to the State of Tennessee for the use of Memphis State University, Memphis, Tennessee

Memphis State University, Tenn. Land conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is authorized and directed to convey, without consideration, to the State of Tennessee for the use of Memphis State University, Memphis, Tennessee, all right, title, and interest of the United States in and to that tract of land constituting a portion of the grounds of the Kennedy Veterans' Hospital in Memphis, Tennessee, including the improvements thereon, containing 129 acres, more or less, and being the same tract of land acquired by the United States for hospital purposes and paid for by the city of Memphis and county of Shelby, Tennessee, and which, upon completion of a new veterans' hospital presently under construction at another site in the city of Memphis, will be excess to the needs of the Veterans' Administration.

Time limitation.

Sec. 2. (a) The conveyance authorized by the first section of this Act shall be made not later than December 31, 1970, and may be made at any time prior to such date if the Administrator of Veterans' Affairs determines that the property to be conveyed is no longer needed by the Veterans' Administration.

(b) The Administrator of Veterans' Affairs is authorized to convey any portion or portions of the tract referred to in the first section of this Act prior to the time that he determines that the entire tract is no longer needed by the Veterans' Administration, if he determines that (1) such portion or portions are no longer needed by the Veterans' Administration, (2) the conveyance of such portion or portions will not interfere with activities of the Veterans' Administration still being carried out on the lands at the Veterans' Administration not yet conveyed, and (3) the conveyance of such portion or portions will facilitate the conversion of such property to educational uses by Memphis State University.

Conditions.

SEC. 3. Any deed of conveyance made pursuant to this Act shall contain such additional terms, conditions, reservations, easements, and restrictions as may be determined by the Administrator of Veterans' Affairs to be necessary to protect the interest of the United States.

Use of property.

SEC. 4. The property conveyed pursuant to this Act shall be used solely for educational purposes, and if such property is ever used for purposes other than educational purposes, title thereto shall revert to, and become the property of, the United States, which shall have the right of immediate entry thereon.

Surveys cost.

SEC. 5. Memphis State University shall pay the cost of such surveys as may be necessary to determine the exact legal description of the real property to be conveyed and shall bear all other expenses in connection with the preparation and recording of the necessary legal documents.

3. EDUCATION PROFESSIONS DEVELOPMENT ACT

(Public Law 90-35, approved June 29, 1967)

A. LEGISLATIVE HISTORY

In the House, hearings on Higher Education Amendments of 1967 (including bills to amend the Higher Education Act of 1965) were held before the Special Subcommittee on Education of the Committee on Education and Labor on April 17, 18, 19, 20, 26, 27, 28, and May 2, 1967.

In the Senate, hearings on Education Legislation, 1967 (including bills to amend the Higher Education Act of 1965) were held before the Subcommittee on Education of the Committee on Labor and Public Welfare on April 26, May 25, and June 23, 1967.

H.R. 10943, the Education Professions Development Act, a bill to amend and extend title V of the Higher Education Act of 1965, was introduced on June 16, 1967, by Representative Carl D. Perkins, of Kentucky (chairman of the Committee on Education and Labor) and other Representatives. The bill was referred to the Committee on Education and Labor.

A similar bill, S. 2028, was introduced on June 27, 1967, by Senator Wayne Morse, of Oregon (chairman of the Subcommittee on Education, of the Committee on Labor and Public Welfare). This bill was referred to the Committee on Labor and Public Welfare.

H.R. 10943 was reported from the Committee on Education and Labor on June 20, 1967 (H. Rept. 373). It passed the House on June 27, 1967. S. 2028 was reported from the Committee on Labor and Public Welfare on June 27, 1967 (S. Rept. 363). On June 28, 1967, the Senate passed H.R. 10943 in lieu of S. 2028. The act was approved on June 29, 1967 and became Public Law 90–35.

B. Some Press Comments

In reporting the approval of Public Law 90–35, the New York Times of June 30, 1967, drew attention to the provision made for extension of the Teacher Corps for 3 years. The Times article stated that:

* * *

> At its peak a month ago, the corps had 1,227 members, volunteers who teach or assist in teaching in urban and rural slum schools while working on master's degrees in nearby colleges. At least 100 are known to have left.

* * *

Concerning provisions of Public Law 90–35, "Here's the Issue," a publication by the legislative branch of the U.S. Chamber of Commerce, dated December 15, 1967, commented in part:

> * * * The controversial Teacher Corps program was enacted, after several amendments designed to ensure local control over the program had reduced much of the opposition in the House.
>
> The bill authorized $33 million in fiscal 1968, $46 million in fiscal 1969, and $56 million in fiscal 1970 for the Teachers Corps—providing an estimated 6,000, 7,500 and 9,600 volunteers for each of the years.

* * *

"Higher Education and National Affairs," a publication of the American Council on Education, dated June 30, 1967, pointed out that:

* * *

> President Johnson signed the bill June 29—1 day before the Teacher Corps was scheduled to expire—while visiting a job training center in Philadelphia, saying that he hoped to double the corps by next fall.

* * *

> Although attention centered on the Teacher Corps, the bulk of the money in the overall billion-dollar bill is authorized for other teacher training programs. It authorizes a new 2-year program, starting in mid-1968, for institutes, subdoctoral fellowships, traineeships and other programs to train college teachers, administrators and education specialists.
>
> Other parts of the bill would merge present NDEA institutes for school teachers and guidance counselors into a broader program for training elementary and secondary school personnel; extend and broaden the present fellowship program for elementary-secondary teachers; and establish new programs, starting in mid-1968, to attract, recruit and provide short-term training for a variety of teaching personnel for the schools.

* * *

C. Digest of the Act

Following is a summary of Public Law 90–35:

The act states its purpose as being to improve the quality of teaching and to help meet critical shortages of adequately trained educational personnel by: (1) developing information on the actual needs for educational personnel; (2) providing high quality training opportunities; (3) attracting a greater number of qualified persons into the teaching profession; (4) attracting persons who can stimulate creativity in the arts and other skills to undertake assignments in education; and (5) helping to make educational personnel training programs more responsive to the needs of the schools and colleges.

The act directs the President to appoint a 15-member National Advisory Council on Education Professions Development to review the operation of all Federal programs for the training and development of educational personnel. It directs the Commissioner of Education to make a periodic appraisal of the Nation's existing and future personnel needs in the field of education.

Provision is made for the following programs: (1) a program of grants and contracts with State or local educational agencies or other institutions which will engage in activities which will attract qualified persons to the field of education; (2) an expansion of the Teacher Corps program to include, among other things, (a) an increased allocation of such teachers for Puerto Rico and the Virgin Islands and an allocation for schools for Indian children, and (b) an increase in the rates of compensation for the teachers; (3) a program of assistance to educational agencies which provide education for children of migratory agricultural workers; (4) a program of grants to States to enable them to support efforts of local communities in, (a) attracting teachers, and (b) increasing the effectiveness of classroom teachers; (5) a program of grants and contracts with institutions of higher education and State and local educational agencies for projects to improve the qualifications of persons serving or preparing to serve in educational programs in elementary and secondary schools (including preschool and adult and vocational education programs) or postsecondary vocational schools, or to supervise or train persons so serving; (6) a program of grants and contracts with institutions of higher education to assist them in training persons who are serving or preparing to serve as teachers, administrators, or educational specialists in institutions of higher education.

The act increases the authority of the Commissioner of Education in the awarding of fellowships for study leading to an advanced degree for persons pursuing or who plan to pursue a career in elementary and secondary education or postsecondary vocational education.

The teacher fellowships program is extended to include graduate education for preschool and adult and vocational education personnel. Appropriation of funds to carry out the various programs under the act are authorized.

D. TEXT OF THE ACT

Following is the text of Public Law 90-35:

AN ACT To amend and extend title V of the Higher Education Act of 1965

Higher Education Act of 1965, amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to coordinate, broaden, and strengthen programs for the training and improvement of the qualifications of teachers and other educational personnel for all levels of the American educational system so as to provide a better foundation for meeting the critical needs of the Nation for personnel in these areas.

81 Stat. 81

81 Stat. 82

AMENDMENTS TO PART A (GENERAL PROVISIONS) OF TITLE V OF HIGHER EDUCATION ACT OF 1965

79 Stat. 1254.
20 USC 1091-1118.

SEC. 2. Title V of the Higher Education Act of 1965 is amended by—

(a) striking out "TEACHER PROGRAMS" in the heading of such title and inserting in lieu thereof "EDUCATION PROFESSIONS DEVELOPMENT";

(b) redesignating section 502 as section 508; and

(c) striking out section 501 and inserting in lieu thereof the following sections:

"STATEMENT OF PURPOSE

"SEC. 501. The purpose of this title is to improve the quality of teaching and to help meet critical shortages of adquately trained educational personnel by (1) developing information on the actual needs for educational personnel, both present and long range, (2) providing a broad range of high quality training and retraining opportunities, responsive to changing manpower needs; (3) attracting a greater number of qualified persons into the teaching profession; (4) attracting persons who can stimulate creativity in the arts and other skills to undertake short-term or long-term assignments in education; and (5) helping to make educational personnel training programs more responsive to the needs of the schools and colleges.

"NATIONAL ADVISORY COUNCIL ON EDUCATION PROFESSIONS DEVELOPMENT

"SEC. 502. (a) The President shall, within ninety days after the enactment of this section, appoint a National Advisory Council on Education Professions Development (hereafter in this section referred to as the 'Council'), for the purpose of reviewing the operation of this title and of all other Federal programs for the training and development of educational personnel, and evaluating their effectiveness in meeting needs for additional educational personnel, and in achieving improved quality in training programs as evidenced in the competency of the persons receiving such training when entering positions in the field of education. The Council shall, in addition, advise the Secretary and the Commissioner with respect to policy matters arising in the administration of this title and any other matters, relating to the purposes of this title, on which their advice may be requested.

Membership.

"(b) The Council shall be appointed by the President, without regard to the civil service and classification laws, and shall consist of fifteen persons. The members, one of whom shall be designated by the President as Chairman, shall include persons broadly representative of the fields of education, the arts, the sciences, and the humanities, and of the general public, and a majority of them shall be engaged in teaching or in the education of teachers.

"(c) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in this title and other Federal laws relating to educational personnel training) to the President and the Congress not later than January 31 of each calendar year beginning after the enactment of this section. The President is requested to transmit to the Congress such comments and recommendations as he may have with respect to such report.

Report to President and Congress.

"(d) Members of the Council who are not in the regular full-time employ of the United States shall, while serving on the business of the Council, be entitled to receive compensation at rates fixed by the President, but not exceeding $100 per day (or, if higher, the rate specified at the time of such service for grade GS–18 in section 5332 of title 5, United States Code), including traveltime, and, while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

Compensation.

80 Stat. 467, 288.

80 Stat. 499.

"(e) The Council may appoint and fix the compensation of such employees as it deems necessary. The Council is authorized to obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code.

Employees.

80 Stat. 416.

"(f) There is authorized to be appropriated to carry out this section the sum of $100,000 for the fiscal year ending June 30, 1968, and the sum of $200,000 for each of the two succeeding fiscal years.

Appropriation.

"APPRAISING EDUCATION PERSONNEL NEEDS

"SEC. 503. (a) The Commissioner shall from time to time appraise the Nation's existing and future personnel needs in the field of education, including preschool programs, elementary and secondary education, vocational and technical education, adult education, and higher education, and the adequacy of the Nation's efforts to meet these needs. In developing information relating to educational personnel needs, the Commissioner shall consult with, and make maximum utilization of statistical and other related information of, the Department of Labor, the National Science Foundation, the National Foundation on the Arts and the Humanities, State educational agencies, State employment security agencies, and other appropriate public and private agencies.

"(b) The Commissioner shall prepare and publish annually a report on the education professions, in which he shall present in detail his views on the state of the education professions and the trends which he discerns with respect to the future complexion of programs of education throughout the Nation and the needs for well-educated personnel to staff such programs. The report shall indicate the Commissioner's plans concerning the allocation of Federal assistance under this title in relation to the plans and programs of other Federal agencies.

Annual report.

"ATTRACTING QUALIFIED PERSONS TO THE FIELD OF EDUCATION

Grants, contracts.

"SEC. 504. (a) The Commissioner is authorized to make grants to, or contracts with, State or local educational agencies, institutions of higher education, or other public or nonprofit agencies, organizations, or institutions, and he is authorized to enter into contracts with private agencies, institutions, or organizations when he, after consultation with the National Advisory Council on Education Professions Development, considers such contract will make an especially significant contribution to attaining the objectives of this section, for the purpose of—

"(1) identifying capable youth in secondary schools who may be interested in careers in education and encouraging them to pursue postsecondary education in preparation for such careers; 81 stat. 84.

"(2) publicizing available opportunities for careers in the field of education;

"(3) encouraging qualified persons to enter or reenter the field of education; or

"(4) encouraging artists, craftsmen, artisans, scientists, and persons from other professions and vocations, and homemakers to undertaking teaching or related assignments on a part-time basis or for temporary periods.

Appropriation.

"(b) There is authorized to be appropriated to carry out this section the sum of $2,500,000 for the fiscal year ending June 30, 1969, and the sum of $5,000,000 for the fiscal year ending June 30, 1970.

"CONSULTATION

"SEC. 505. In the development and review of grant and contract programs under this title the Commissioner shall consult with the National Science Foundation and the National Foundation on the Arts and the Humanities to promote coordinated planning of programs to train educational personnel.

"TRANSFER OF FUNDS

"SEC. 506. In addition to the authority for utilization of other agencies conferred by section 803(b) of this Act, funds available to the Commissioner for grants or contracts under this title shall, with the approval of the Secretary, be available for transfer to any other Federal agency for use (in accordance with an interagency agreement) by such agency (alone or in combination with funds of that agency) for purposes for which such transferred funds could be otherwise expended by the Commissioner under the provisions of this title, and the Commissioner is likewise authorized to accept and expend funds of any other Federal agency for use under this title.

79 Stat. 1270.
20 USC 1143.

"EXPERTS AND CONSULTANTS

"SEC. 507. The Commissioner may employ experts and consultants, as authorized by section 3109 of title 5, United States

80 Stat. 416.

Code, to advise him with respect to the making of grants and contracts and the approving of programs under this title. Experts and consultants employed pursuant to this section may be compensated while so employed at rates not in excess of $100 per day (or, if higher, the rate specified at the time of such service for grade GS–18 in section 5332 of title 5, United States Code), including traveltime, and, while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently."

Compensation.

80 Stat. 467, 288.

80 Stat. 499.

AMENDMENTS TO PART B OF TITLE V OF THE HIGHER EDUCATION ACT OF 1965

SEC. 3. (a)(1) Part B of title V of the Higher Education Act of 1965 is amended by striking out the heading thereof and inserting the following:

79 Stat. 1255.
20 USC 1101-1107.

81 Stat. 85.

"PART B—ATTRACTING AND QUALIFYING TEACHERS

"Subpart 1—Teacher Corps"

(2) The heading of section 512 of such Act is amended by striking out "National".

(3) Part B of such title V is further amended by striking out "part" each place it appears and inserting in lieu thereof "subpart".

79 Stat. 1255.
20 USC 1101-1107.

(4) Section 512 of such Act is amended by striking out "National Teacher Corps (hereinafter referred to as the 'Teacher Corps')" and inserting in lieu thereof "Teacher Corps".

(b) Section 511(b) of the Higher Education Act of 1965 is amended by striking out "and" after "June 30, 1966," and by inserting the following immediately before the period at the end of such subsection: ", $33,000,000 for the fiscal year ending June 30, 1968, $46,000,000 for the fiscal year ending June 30, 1969, and $56,000,000 for the fiscal year ending June 30, 1970, respectively; and there are further authorized to be appropriated such sums for the fiscal year ending June 30, 1971, as may be necessary to enable any teacher-intern who has not completed his program of practical and academic training to continue such program for a period of not more than one additonal year".

Appropriation.

(c) Section 513(a) of such Act is amended to read as follows:

"SEC. 513. (a) For the purpose of carrying out this subpart, the Commissioner is authorized to—

Recruitment, training provisions, etc.

"(1) enter into contracts or other arrangements with institutions of higher education or local educational agencies under which they will recruit, select, and enroll in the Teacher Corps for periods of up to two years, experienced teachers, persons who have a bachelor's degree or its equivalent, and persons who have successfully completed two years of a program for which credit is given toward a baccalaureate degree;

"(2) enter into arrangements, through grants or contracts, with institutions of higher education or local educational agencies (upon approval in either case by the appropriate State educational agency) or with State educational agencies to provide members of the Teacher Corps with such training as the Commissioner may deem appropriate to carry out the purpose of this subpart, including not more than three months of training for members before they undertake their teaching duties under this subpart;

"(3) enter into arrangements (including the payment of the cost of such arrangements) with local educational agencies upon approval by the appropriate State educational agency and, after consultation in appropriate cases with institutions of higher education, to furnish to local educational agencies, for service during regular or summer sessions, or both, in the schools of such agencies in areas having concentrations of children from low-income families, teaching teams, each of which shall consist of an experienced teacher and a number of teacher-interns who, in addition to teaching duties, shall be afforded time by the local educational agency for a teacher-intern training program carried out under the guidance of an experienced teacher in cooperation with an institution of higher education;

81 Stat. 86.

"(4) pay to local educational agencies such part of the amount of the compensation which such agencies pay to or on behalf of members of the Teacher Corps assigned to them pursuant to arrangements made pursuant to the preceding clause as may be agreed upon after consideration of their ability to pay such compensation, but not in excess of 90 per centum thereof, except that, in exceptional cases, the Commissioner may provide more than 90 per centum of such compensation during the first year of any agency's participation in the program.

"(5) make available technical assistance to local educational agencies and institutions of higher education for carrying out arrangements entered into under clause (1);

"(6) acquaint qualified persons of teaching opportunities and needs in disadvantaged areas and encourage qualified persons to apply to appropriate educational agencies or institutions for enrollment in the Teacher Corps; and

"(7) accept and employ in the furtherance of the purposes of this subpart (A) voluntary and uncompensated services notwithstanding the provisions of section 3679(b) of the Revised Statutes, as amended (31 U.S.C. 665(b)), and (B) any money or property (real, personal, or mixed, tangible or intangible) received by gift, devise, bequest, or otherwise."

79 Stat. 1256.
20 USC 1103.

(d) Section 513(b) of such Act is amended by striking out "a graduate" and inserting in lieu thereof "an appropriate".

(e) Section 513(c) of such Act is amended to read as follows:

Allocation of teachers

"(c)(1) Whenever the Commissioner determines that the demand for the services of members of the Teacher Corps exceeds the number available, he shall, to the extent practicable, allocate the number of members of the Teacher Corps who are available among the States in accordance with paragraph (2).

"(2) Not to exceed 2 per centum of the number of members of the Teacher Corps who are available shall be allocated to Puerto Rico and the Virgin Islands according to their respective needs. The remainder of such number of Teacher Corps members shall be allocated among the States so that the number of members available to any State shall bear the same ratio to the number being allocated as the number of children enrolled in the public and private elementary and secondary schools of that State bears to the total number of children so enrolled in such schools in all of the States. The number of children so enrolled shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him. For purposes of this subsection, the term 'State' shall not include Puerto Rico or the Virgin Islands.

Infra.

"State."

"(3) If the Commissioner determines that a State will not require the number of Teacher Corps members allocated to it under paragraph (2), he shall, from time to time, reallot the number not required, on such dates as he may fix, to other States in proportion to the original allocation to such States under paragraph (2), but with such proportionate number for any of such other States being reduced to the extent it exceeds the number the Commissioner determines such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallocated among the States whose proportionate numbers were not so reduced."

(f) The first sentence of section 513(c)(2) of such Act is amended by striking out "2 per centum" and inserting in lieu thereof "3 per centum", and by striking out "Puerto Rico, and the Virgin Islands" and inserting in lieu thereof "Puerto Rico, the Virgin Islands, and elementary and secondary schools operated for Indian children by the Department of the Interior,".

(g)(1) Section 514(a) of such Act is amended by striking out paragraphs (1), (2), and (3), and inserting in lieu thereof the following:

Compensation.
20 USC 1104.

"(1) an experienced teacher who is leading a teaching team shall be compensated at a rate agreed to by such agency and the Commissioner; and

"(2) a teacher-intern shall be compensated at a rate which is equal to the lowest rate paid by such agency for teaching full time in the school system and grade to which the intern is assigned, or $75 per week plus $15 per week for each dependent, whichever is less."

(2) The amendment made by this subsection shall not apply to any person enrolled in the Teacher Corps before the date of enactment of this Act.

(h) Section 515 of such Act is amended by adding at the end thereof the following new subsection:

79 Stat. 1257.
20 USC 1105.

"(d) Members of the Teacher Corps shall not be eligible to receive payment of a student loan under title II of the National

72 Stat. 1583.
20 USC 421-429.

Defense Education Act of 1958 or of an educational opportunity grant under title IV of this Act."

79 Stat. 1232.
20 USC 1061-1069.

(i) Part B of title V of such Act is amended by adding at the end thereof the following new section:

"TEACHING CHILDREN OF MIGRATORY AGRICULTURAL WORKERS

"SEC. 517A. For purposes of this part the term 'local educational agency' includes any State educational agency or other public or private nonprofit agency which provides a program or project designed to meet the special educational needs of migratory children of migratory agricultural workers, and any reference in this part to (1) teaching in the schools of a local educational agency includes teaching in any such program or project and (2) 'migratory children of migratory agricultural workers' shall be deemed to continue to refer to such children for a period, not in excess of five years, during which they reside in the area served by the local educational agency."

NEW SUBPART ADDED TO PART B OF TITLE V OF THE HIGHER EDUCATION ACT OF 1967

20 USC 1101-1107.

SEC. 4. Part B of title V of the Higher Education Act of 1965 is amended by inserting at the end thereof (after the section added by section 3(i) of this Act) the following:

"Subpart 2—Attracting and Qualifying Teachers to Meet Critical Teacher Shortages

"APPROPRIATIONS AUTHORIZED

"SEC. 518. (a) The Commissioner shall carry out during the fiscal year ending June 30, 1969, and the succeeding fiscal year, a program for making grants to States to enable them to support the efforts of local communities experiencing critical teacher shortages to (1) attract to teaching persons in the community who have been otherwise engaged and to provide them, through short-term intensive training programs and subsequent in-service training, with the qualifications necessary for a successful career in teaching, and (2) obtain the services of teacher aides and provide them with the necessary training with a view to increasing the effectiveness of classroom teachers.

"(b) For the purpose of making grants under this subpart, there are hereby authorized to be appropriated the sum of $50,000,000 for the fiscal year ending June 30, 1969, and $65,000,000 for the fiscal year ending June 30, 1970.

81 Stat. 88.

"ALLOTMENT TO STATES

Ante, p. 87.

"SEC. 519. (a) From the sums appropriated pursuant to section 518(a), the Commissioner shall reserve such amount, but not in excess of 3 per centum thereof, as he may determine and shall allot such amount among Puerto Rico, Guam, American Samoa, the Virgin Islands, the Canal Zone, and the

Trust Territory of the Pacific Islands according to their respective needs for assistance under this subpart. From the remainder of such sums, the Commissioner shall allot to each State an amount which bears the same ratio to the total of such sums as the number of children enrolled in the public and private elementary and secondary schools of that State bears to the total number of children so enrolled in such schools in all of the States. The number of children so enrolled shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him. For purposes of this subsection, the term 'State' shall not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Canal Zone, and the Trust Territory of the Pacific Islands.

"State."

"(b) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for such fiscal year shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under susbection (a) for that year but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amounts reallotted to a State under this subsection during a year from funds appropriated pursuant to section 519 shall be deemed part of its allotment under subsection (a) for such year.

"STATE PLANS

"Sec. 520. (a) Any State which desires to receive grants under this subpart shall submit to the Commissioner, through its State educational agency, a State plan, in such detail as the Commissioner deems necessary, which—

"(1) designates the State educational agency as the sole State agency for administration of the State plan;

"(2) sets forth a program under which funds paid to the State from its allotment under section 520 will be expended solely for (A) programs of local educational agencies to attract to teaching, persons in the community who have been otherwise engaged and to provide short-term intensive training and subsequent in-service training to qualify such persons for teaching, (B) programs of such agencies to obtain the services of teacher aides and to provide them with the preservice or in-service training they need to perform their duties as teacher aides, and (C) administration of the State plan, except that the amount used for administration of the State plan for any fiscal year shall not exceed an amount equal to 3 per centum of the amount paid to the State under this subpart for that year;

"(3) provides assurance that every local educational agency whose application for funds under the plan is denied will be given an opportunity for a fair hearing before the State educational agency;

"(4) sets forth the policies and procedures to be followed in allocating Federal funds to local educational agencies in the State, which policies and procedures shall ensure that such funds will be allocated to local educational agencies having the most urgent need for teachers and teacher aides;

81 Stat. 89.

"(5) provides that training under a program described in paragraph (2)(A) will be provided only to persons who will, upon completion of their short-term training, have the qualifications for teaching in elementary or secondary schools in the community, and that training under a program described in paragraph (2)(B) will be provided only to persons who show promise of being able with appropriate training to serve competently as a teacher aide;

"(6) provides assurances that not more than one-third of the sums expended under this Act will be used to support programs described in paragraph (2)(B);

"(7) provides assurance that no person will be denied admission to training programs carried on under this subpart because he is preparing to teach or serve as a teacher aide in a private school;

"(8) sets forth policies and procedures designed to assure that Federal funds made available under this subpart for any fiscal year will be so used as to supplement, and not supplant, funds which are available from State or local sources for purposes for which grants may be made under this subpart;

"(9) sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including any such funds paid by the State to any other public agency) under this subpart; and

Records.

"(10) provides for making such reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this subpart, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(b) The Commissioner shall approve any State plan and any modification thereof which complies with the provisions of subsection (a).

"PAYMENTS TO STATES

"SEC. 520A. From the amounts allotted to each State under section 519 the Commissioner shall pay to that State an amount equal to the amount expended by the State in carrying out its State plan. Such payments may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"ADMINISTRATION OF STATE PLANS

"SEC. 520B. (a) The Commissioner shall not finally disapprove any State plan submitted under this subpart or any modification thereof, without first affording the State educational agency reasonable notice and opportunity for a hearing.

"(b) Whenever the Commissioner, after reasonable notice and opportunity for hearing to such State agency, finds—

"(1) that the State plan has been so changed that it no longer complies with the provisions of section 520(a), or

"(2) that in the administration of the plan there is a failure to comply substantially with any such provisions,

the Commissioner shall notify such State agency that the State will not be regarded as eligible to participate in the program under this subpart until he is satisfied that there is no longer any such failure to comply. 81 Stat. 90.

"JUDICIAL REVIEW

"SEC. 520C. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under section 520(a) or with his final action under section 520B(b), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. 72 Stat. 941.

"(b) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"(c) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code." 62 Stat. 928.

EXTENDING TEACHER FELLOWSHIP PROGRAM TO INCLUDE GRADUATE EDUCATION FOR PRESCHOOL AND ADULT AND VOCATIONAL EDUCATION PERSONNEL

SEC. 5. (a) The heading of part C of title V of the Higher Education Act of 1965 is amended by inserting "AND RELATED EDUCATIONAL PERSONNEL" after "FELLOWSHIP FOR TEACHERS". 79 Stat. 1258. 20 USC 1111-1118.

(b)(1) The first sentence of section 521 of the Higher Education Act of 1965 is amended (A) by striking out "elementary and secondary schools" and inserting in lieu thereof "schools", and (B) by inserting "or postsecondary vocational education" after "career in elementary or secondary education".

(2) The second sentence of such section is amended by striking out "teacher education programs" and inserting in lieu thereof "programs for the education of teachers and related educational personnel".

Definitions.

(3)(A) So much of the third sentence of such section as precedes the first comma therein is amended to read as follows: "For the purposes of this part the term 'elementary and secondary education' includes preschool and adult and vocational education, and the term 'career in elementary and secondary education or postsecondary vocational education' means a career of teaching in elementary or secondary schools (including teaching in preschool and adult and vocational education programs) or in postsecondary vocational schools"; (B) the words "elementary or secondary schools", the second time these words occur in such third sentence, are changed to read "such schools"; and (C) the following is inserted in such sentence before the comma after "educational media": "(including educational and instructional television and radio), child development".

81 Stat. 91.
79 Stat. 1258.
20 USC 1112.

(c) Section 522 of such Act is amended to read as follows:

"FELLOWSHIPS AUTHORIZED

SEC. 522. The Commissioner is authorized to award fellowships in accordance with the provisions of this part for graduate study leading to an advanced degree for persons who are pursuing or plan to pursue a career in elementary and secondary education or postsecondary vocational education."

20 USC 1113.

(d)(1) Paragraph (1) of section 523 of such Act is amended by striking out "Advisory Council on Quality Teacher Preparation" and inserting in lieu thereof "Natonal Advisory Council on Education Professions Development".

(2) Paragraph (2) of such section is amended by inserting "or postsecondary vocational schools" after "elementary or secondary schools"; inserting "or postsecondary vocational education" after "elementary or secondary education"; and amending the term "career in elementary and secondary education", each time such term occurs, to read "career in elementary and secondary education or postsecondary vocational education".

20 USC 1114.

(e)(1) Section 524(b) of such Act is amended to read as follows:

"(b) For the purpose of obtaining an appropriate geographical distribution of high-quality programs for the training of personnel for elementary or secondary education, the Commissioner is authorized to make grants to and contracts with institutions of higher education to pay part of the cost of developing or strengthening graduate programs which meet or, as a result of assistance received under this subsection will be enabled to meet, the requirements of subsection (a)."

Repeal.

(2) Subsection (c) of section 524 is repealed.

20 USC 1115.

(f) Subsection (b) of section 525 is amended to read as follows:

"(b) The Commissioner shall (in addition to the stipends paid to persons under subsection (a)) pay to the institution of higher education at which such person is pursuing his course of study such amount as the Commissioner may determine to be appropriate, not to exceed the equivalent of $2,500 per academic year, but any amount charged such person for tuition and nonrefundable fees and deposits shall be deducted from the amount payable to the institution of higher education under this subsection."

(g) Section 528 of such Act is amended by inserting after "June 30, 1968," the following: "$195,000,000 for the fiscal year ending June 30, 1969, and $240,000,000 for the fiscal year ending June 30, 1970,".

Appropriation.
20 USC 1118.

NEW PARTS ADDED TO TITLE V OF HIGHER EDUCATION ACT OF 1965

SEC. 6. Title V of the Higher Education Act of 1965 is further amended by adding the following new parts at the end thereof:

20 USC 1091-1118.

"PART D—IMPROVING TRAINING OPPORTUNITIES FOR PERSONNEL SERVING IN PROGRAMS OF EDUCATION OTHER THAN HIGHER EDUCATION

"ADVANCED TRAINING AND RETRAINING

"SEC. 531. (a) The Commissioner is authorized to make grants to, or contracts with, institutions of higher education and State educational agencies, and to make grants to, or contracts with, local educational agencies if, after consultation with the State educational agency, such State agency is satisfied that the program or project will be coordinated with programs carried on under part B, for carrying out programs or projects to improve the qualifications of persons who are serving or preparing to serve in educational programs in elementary and secondary schools (including preschool and adult and vocational education programs) or postsecondary vocational schools or to supervise or train persons so serving.

Ante, p. 84.

81 Stat. 92.

"(b) Programs or projects under this section may include, among others—

"(1) programs or projects to train or retrain teachers, or supervisors or trainers of teachers, in any subject generally taught in the schools;

"(2) programs or projects to train or retrain other educational personnel in such fields as guidance and counseling (including occupational counseling), school social work child psychology, remedial speech and reading, child development, and educational media (including educational television or radio);

"(3) programs or projects to train teacher aides and other non-professional educational personnel;

"(4) programs or projects to provide training and preparation for persons participating in educational programs for children of preschool age;

"(5) programs or projects to prepare teachers and other educational personnel to meet the special needs of the socially, culturally, and economically disadvantaged;

"(6) programs or projects to prepare teachers and other educational personnel to meet the special needs of exceptionally gifted students;

"(7) programs or projects to train or retrain persons engaging in programs of special education for the handicapped;

"(8) programs or projects to provide inservice and other training and preparation for school administrators;

"(9) programs or projects to prepare artists, craftsmen, scientists, artisans, or persons from other professions or vocations, or homemakers to teach or otherwise assist in programs or projects of education on a long-term, short-term, or part-time basis.

"(c) Grants or contracts under this section may provide for use of funds received thereunder only to pay the cost of—

"(1) short-term or regular-session institutes; or

"(2) other preservice and inservice training programs or projects designed to improve the qualifications of persons entering and reentering the field of elementary and secondary education or postsecondary vocational education, except that funds may not be used for seminars, symposia, workshops or conferences unless these are part of a continuing program of inservice or preservice training.

"(d) The Commissioner may include in the terms of any grant or contract under this section provisions authorizing the payment, to persons participating in training programs supported under this section, of such stipends (including allowances for subsistence and other expenses for such persons and their dependents) as he may determine, which shall be consistent with prevailing practices under comparable federally supported programs.

"APPROPRIATIONS AUTHORIZED

"SEC. 532. There is authorized to be appropriated to carry out this part the sum of $70,000,000 for the fiscal year ending June 30, 1969, and the sum of $90,000,000 for the fiscal year ending June 30, 1970.

81 Stat. 93.

"PART E—TRAINING PROGRAMS FOR HIGHER EDUCATION PERSONNEL

"PROGRAMS AND PROJECTS

"SEC. 541. (a) The Commissioner is authorized to make grants to, or contracts with, institutions of higher education to assist them in training persons who are serving or preparing to serve as teachers, administrators, or educational specialists in institutions of higher education.

"(b) Grants or contracts under this section may provide for use of funds received thereunder only to assist in covering the cost of courses of training or study (including short-term or regular-session institutes and other preservice and inservice training programs) for such persons, and for establishing and maintaining fellowships or traineeships, except that funds may not be used for fellowships which are eligible for support under title IV of the National Defense Education Act of 1958, or for seminars, conferences, symposia, and workshops unless these are part of a continuing program of inservice or preservice training. 72 Stat. 1590. 20 USC 461-465.

"(c) The Commissioner may make a grant to or enter into a contract with an institution of higher education only upon application by the institution and only upon his finding that such program will substantially improve educational opportunities throughout the Nation for training for persons who have or are preparing to undertake teaching or administrative responsibilities in institutions of higher education or the responsibilities of an educational specialist in such institution.

"STIPENDS

"SEC. 542. The Commissioner may include in the terms of any arrangement with an institution of higher education under this part provisions authorizing the payment, to persons participating in training programs supported under this part, of such stipends (including allowances for subsistence and other expenses for such persons and their dependents) as he may determine, which shall be consistent with prevailing practices under comparable federally supported programs.

"APPROPRIATIONS AUTHORIZED

"SEC. 543. There is authorized to be appropriated to carry out this part the sum of $21,500,000 for the fiscal year ending June 30, 1969, and the sum of $36,000,000 for the fiscal year ending June 30, 1970."

LIMITATION

SEC. 7. The Higher Education Act of 1965 is further amended by inserting before the period at the end of section 508 (as redesignated by section 2(b) of this Act) the following words: "or training for a religious vocation or to teach theological subjects". 79 Stat. 1255. 20 USC 1092.

SHORT TITLE OF TITLE V OF HIGHER EDUCATION ACT OF 1965

SEC. 8. Title V of the Higher Education Act of 1965, as amended by this Act, is further amended by adding at the end of part A thereof the following new section: *Ante*, p. 82.

"SHORT TITLE

"SEC. 509. This title may be cited as the 'Education Professions Development Act'."

81 Stat. 94.

EFFECTIVE DATES

SEC. 9. (a) The amendments to title V of the Higher Education Act of 1965 made by the foregoing sections of this Act shall be effective with respect to fiscal years beginning after June 30, 1968, except that the following amendments made by this Act shall take effect on the date of enactment of this Act:

(1) The redesignation of section numbers made by section 2 of this Act.

(2) The repeal (by section 2(c) of this Act) of section 501 of title V of the Higher Education Act of 1965 (which provides for an Advisory Council on Quality Teacher Preparation) and the enactment, in lieu thereof, of section 501 (Statement of Purpose) and section 502 (National Advisory Council on Education Professions Development) of such title; and the conforming amendment to section 523(1) of such title V made by section 5(d)(1) of this Act.

(3) The enactment (by section 2(c) of this Act) of section 507 of title V of the Higher Education Act of 1965 (relating to experts and consultants), and the concomitant repeal (by section 5(e) of this Act) of subsection (c) of section 524 of such title V.

(4) The amendments made by sections 3, 7, and 8 of this Act.

(b) Nothing in this section shall be construed to preclude advance planning and dissemination of information by the Commissioner of Education with respect to amendments the effective date of which is deferred by this section.

4. OLDER AMERICANS ACT AMENDMENTS OF 1967

(Public Law 90-42, approved July 1, 1967)

A. LEGISLATIVE HISTORY

Hearings on amendments to the Older Americans Act of 1965 were held before the Select Committee on Education of the (House) Committee on Education and Labor on May 10, 11, 16, and June 1, 1967.

H.R. 10730, the Older Americans Act Amendments of 1967 was introduced on June 8, 1967 by Representative Dominick V. Daniels, of New Jersey, and others. The bill was referred to the Committee on Education and Labor.

In the Senate, hearings on Older Americans Act amendments were held before the Special Subcommittee on Aging of the Committee on Labor and Public Welfare on June 12, 1967.

H.R. 10730 was reported from the Committee on Education and Labor on June 16, 1967 (H. Rept. 367). It passed the House, under suspension of the rules, on June 19, 1967. It was reported in the Senate, from the Committee on Labor and Public Welfare on June 27, 1967 (S. Rept. 367). It passed the Senate, amended, on June 28, 1967. The House agreed to the Senate amendments on June 29, 1967. The act was approved on July 1, 1967, and became Public Law 90-42.

B. DIGEST OF THE ACT

The act contains several provisions concerning research, demonstration and training related to other provisions of the act. Following is a summary of the entire act.

Public Law 90–42 increases the appropriations for State grants under the Older Americans Act from $8 million to $10,550,000 for fiscal year 1968, and $16 million for fiscal year 1969, and provides appropriations for such grants for the 3 succeeding fiscal years. It extends the time limit on grants made under this act from June 30, 1972, to June 30, 1974.

The act changes the formula for determining the amount of a State's allotment which can be used to pay one-half of the State agencies' administrative costs. The new figure is 10 percent of the allotment or $25,000, whichever is larger.

The act increases the appropriations for research, development and training projects for the fiscal year ending June 30, 1968, from $3 million to $6,400,000 and for fiscal year 1969 to $10 million, and provides appropriations for such projects for the 3 succeeding fiscal years.

It authorizes direct financial support, through grants and contracts, to private and public nonprofit organizations for demonstration and research projects in the field.

It authorizes the Secretary of Health, Education, and Welfare to undertake a study and evaluation of the existing and foreseeable need for trained personnel in various programs and services related to the objectives of the Older Americans Act, and to present a report to the President and to the Congress on or before March 31, 1968.

It provides that members of the Advisory Committee on Older Americans in the Department of Health, Education, and Welfare shall not consist of regular full-time employees of the United States (former restriction was to any employee of the United States). It increases the per diem compensation limit for such members from $75 to $100.

C. TEXT OF THE LAW

Following is the text of Public Law 90–42:

AN ACT To amend the Older Americans Act of 1965 so as to extend its provisions

Older Americans Act Amendments of 1967.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Older Americans Act Amendments of 1967".

COMMUNITY PLANNING, SERVICES, AND TRAINING

79 Stat. 220.

SEC. 2. (a)(1) The first sentence of section 301 of the Older Americans Act of 1965 (42 U.S.C. 3021) is amended by striking out "four" and inserting in lieu thereof "six".

Appropriation.

(2) The second sentence of such section is amended (1) by striking out "and" before "$8,000,000" and (2) by striking "and for the fiscal year ending June 30, 1968, and each of the two succeeding years, such sums may be appropriated as the Congress may hereafter authorize by law," and inserting in lieu

81 Stat. 106.
81 Stat. 107.

thereof "$10,550,000 for the fiscal year ending June 30, 1968, $16,000,000 for the fiscal year ending June 30, 1969, and for the fiscal year ending June 30, 1970, and the two succeeding fiscal years, such sums may be appropriated as the Congress may hereafter authorize by law".

Grants, time extension.
42 USC 3022.

(b) Section 302(c) is amended by striking out "June 30, 1972" and inserting in lieu thereof "June 30, 1974".

COST OF STATE PLAN ADMINISTRATION

42 USC 3024.

SEC. 3. Section 304 of the Older Americans Act of 1965 (42 U.S.C. 3023) is amended by striking out "10 per centum or $15,000" and inserting in lieu thereof "10 per centum or $25,000".

RESEARCH AND DEVELOPMENT PROJECTS AND TRAINING PROJECTS

Appropriation.

SEC. 4. Section 603 of the Older Americans Act of 1965 (42 U.S.C. 3053) is amended (1) in the first sentence by striking out "four" and inserting in lieu thereof "six", and (2) in the second sentence by striking out "and" before "$3,000,000" and by striking out "and for the fiscal year ending June 30, 1968, and each of the two succeeding fiscal years, such sums may be appropriated as the Congress may hereafter authorize by law" and inserting in lieu thereof "$6,400,000 for the fiscal year ending June 30, 1968, $10,000,000 for the fiscal year ending June 30, 1969, and for the fiscal year ending June 30, 1970, and the two succeeding fiscal years, such sums may be appropriated as the Congress may hereafter authorize by law".

TECHNICAL AMENDMENTS

Definitions.

SEC. 5. (a)(1) Paragraph (2) of section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002) is amended by inserting ", unless the context otherwise requires," after "means".

(2) Paragraph (4) of such section 102 is amended by striking out "The term 'nonprofit institution or organization' means an institution or organization which is owned and operated by" and inserting in lieu thereof "The term 'nonprofit' as applied to any agency, institution, or organization means an agency institution, or organization which is, or is owned and operated by,".

79 Stat. 224.

(b) Clause (b) of section 401 of such Act (42 U.S.C. 3031) is amended by striking out "activity".

Advisory committees, compensation.

(c) Section 601 of such Act (42 U.S.C. 3051) is amended (1) by inserting "regular full-time" before "employ" in subsection (a)(1); (2) by striking out "who appointed them" in subsection (c); and (3) by striking out "$75" in such subsection and inserting in lieu thereof "$100".

(d) Section 601 of such Act (42 U.S.C. 3051) is amended by adding at the end thereof the following:

"(d) The Commissioner is authorized to furnish to the Advisory Committee such technical assistance, and to make available to it such secretarial, clerical, and other assistance and such pertinent data available to him, as the Committee may require to carry out its functions."

(e) Section 602(a) of such Act (42 U.S.C. 3052) is amended by inserting before the period at the end thereof the following: "and to provide staff and other technical assistance to the President's Council on Aging."

81 Stat. 107.
81 Stat. 108.

(f) Section 602 of such Act (42 U.S.C. 3052) is amended by striking out "Secretary of Health, Education, and Welfare" in subsections (a) and (b) and inserting in lieu thereof "Secretary"; by striking out "Secretary concerned" in subsection (b) and inserting in lieu thereof "Secretary", and by stiking out "their respective functions" in subsection (b) and inserting in lieu thereof "his functions".

(g) The first sentence of section 302(b) of the Older Americans Act of 1965 (42 U.S.C. 3022(b)) is amended by striking out "shall be available for reallotment" and inserting in lieu thereof "shall be reallotted".

STUDY OF NEED FOR TRAINED PERSONNEL

SEC. 6. Title V of the Older Americans Act of 1965 (42 U.S.C., ch. 35, subch. V) is amended by adding at the end thereof the following new section:

42 USC 3041, 3042.

"STUDY OF NEED FOR TRAINED PERSONNEL

"SEC. 503. (a) The Secretary is authorized to undertake, directly or by grant or contract, a study and evaluation of the immediate and foreseeable need for trained personnel to carry out programs related to the objectives of this Act, and of the availability and adequacy of the educational and training resources for persons preparing to work in such programs. On or before March 31, 1968, he shall make a report to the President and to the Congress, of his findings and recommendations resulting from such study, including whatever specific proposals, including legislative proposals, he deems will assist in insuring that the need for such trained specialists will be met.

Report to President and Congress.

"(b) In carrying out this section the Secretary shall consult with the Advisory Committee on Older Americans, the President's Council on Aging, appropriate Federal agencies, State and local officials, and such other public or nonprofit private agencies, organizations, or institutions as he deems appropriate to insure that his proposals under subsection (a) reflect national requirements."

5. AMENDMENT OF THE COLLEGE WORK-STUDY PROGRAM

(Public Law 90–82, approved September 6, 1967)

A. LEGISLATIVE HISTORY

In the House, hearings on "Economic Opportunity Act amendments of 1967" were held before the Committee on Education and Labor on

June 12, 16, 19, 20, 21, 22, 23, 28, July 10, 12, 13, 14, 17, 18, 19, 20, 21, 24, 26, 27, 28, 31, and August 1, 1967.

In the Senate, hearings on "Examination of the War on Poverty" were held before the Subcommittee on Employment, Manpower and Poverty, of the Committee on Labor and Public Welfare, on March 13, 15, 16, 17, April 10, 24, 27, 28, May 1, 2, 8, 9, 10, 11, 12, 17, 18, 26, June 1, 2, 8, 9, 22, 23, 26, 27, 28, and July 10, 13, 18, 1967.

H.R. 11945 was introduced by Representative Edith Green, of Oregon, and others, on July 31, 1967. The bill was referred to the Committee on Education and Labor. It was reported from that committee on August 7, 1967 (H. Rept. 543). It passed the House on August 10, 1967. It was reported in the Senate, from the Committee on Labor and Public Welfare, on August 25, 1967 (S. Rept. 539). It passed the Senate on August 25, 1967. It was approved by the President on September 6, 1967, and became Public Law 90-82.

B. Digest of the Act

The act establishes the maximum number of hours per week a college student is allowed to work while participating in the work-study program under the Economic Opportunity Act, and increases the Federal share of payments under the program from 75 percent to 85 percent during 1968 and 80 percent during 1969. (Amends 42 U.S.C. 2754.)

C. Text of the Act

Following is the text of Public Law 90-82.

81 Stat. 194.

AN ACT To amend the college work-study program with respect to institutional matching and permissible hours of work

College work-study program.
78 Stat. 515.
42 USC 2754.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 124(d) of the Economic Opportunity Act of 1964 is amended to read as follows:

> "(d) provide that the average hours of employment of a student under such work-study program, shall not exceed fifteen per week over a semester, or other term used by the institution in awarding credits, during which the student is enrolled in classes."

79 Stat. 974.

Sec. 2. Section 124(f) of such Act is amended by inserting after "this Act" the following: ", 85 per centum during the fourth year after such date, 80 per centum during the fifth year after such date,".

6. VOCATIONAL REHABILITATION AMENDMENTS OF 1967

(Public Law 90-99, approved October 3, 1967)

A. Legislative History

H.R. 12257, the Vocational Rehabilitation Amendments of 1967 was introduced on August 10, 1967, by Representative Dominick V.

Daniels, of New Jersey, and others. The bill was referred to the Committee on Education and Labor.

Hearings on amendments to the Vocational Rehabilitation Act were held before the Select Committee on Education, of the Committee on Education and Labor, on July 18, 19, 20, and 27, 1967. Hearings on Vocational Rehabilitation Amendments of 1967 were held before the Subcommittee on Health of the Committee on Labor and Public Welfare on August 14, 1967.

H.R. 12257 was reported from the Committee on Education and Labor on August 17, 1967 (H. Rept. 563). It passed the House, under suspension of the rules, on August 21, 1967. It was reported in the Senate, from the Committee on Labor and Public Welfare, on September 18, 1967 (S. Rept. 565). It passed the Senate on September 20, 1967. It was approved by the President on October 3, 1967, and became Public Law 90-99.

B. Digest of the Act

Following is a summary of the act, which generally involves education and training:

The act extends the authorization of funds for State grants for vocational rehabilitation services through fiscal 1970, and authorizes an appropriation of $0.5 billion for fiscal year 1969 and $0.6 billion for fiscal year 1970.

It extends through fiscal year 1969 State grants for development of comprehensive programs of vocational rehabilitation.

It authorizes the Secretary of Health, Education, and Welfare to enter into contracts with public or nonprofit private agencies or organizations whereby the Federal Government will pay all or part of the cost of establishing and maintaining national centers for deaf-blind youths and adults designed: (1) to assist these handicapped persons with problems of vocational rehabilitation, (2) to conduct research in this area, and (3) to help foster community understanding of the problems of the handicapped.

The act requires, under such agreement, that the local agency involved make an annual report to the Secretary on the administration of its program and the allocation of funds received, which report shall in turn be submitted to the Congress with the Secretary's recommendations.

It authorizes the Secretary to assume up to 90 percent of the cost of pilot projects designed to help rehabilitate handicapped migratory agricultural workers.

The act removes, as of July 1, 1969, the requirement whereby a handicapped individual must be a resident of the State in which he wishes to receive services under the act, and requires, instead, only that he be physically present therein.

C. Text of the Act

Following is the text of Public Law 90-99:

AN ACT To amend the Vocational Rehabilitation Act to extend and expand the authorization of grants to States for rehabilitation services, to authorize assistance in establishment and operation of a National Center for Deaf-Blind Youths and Adults, and to provide assistance for migrants

Vocational Rehabilitation Amendments of 1967.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Vocational Rehabilitation Amendments of 1967"

GRANTS TO STATES FOR VOCATIONAL REHABILITATION SERVICES

79 Stat. 1282.

Sec. 2. Effective with respect to appropriations for fiscal years ending after June 30, 1968, section 1(b)(1) of the Vocational Rehabilitation Act (29 U.S.C. 31(b)(1)) is amended by striking out "and", and by inserting before the period at the end thereof ", for the fiscal year ending June 30, 1969, the sum of $500,000,000, and for the fiscal year ending June 30, 1970, the sum of $600,000,000".

81 Stat. 250.
81 Stat. 251.

GRANTS TO STATES FOR DEVELOPMENT OF COMPREHENSIVE PROGRAMS

79 Stat. 1290.

Sec. 3. Section 4(a)(2)(B) of the Vocational Rehabilitation Act (29 U.S.C. 34(a)(2)(B)) is amended by striking out "June 30, 1967" each time it appears therein and inserting in lieu thereof "June 30, 1968" and by striking out "June 30, 1968" and inserting in lieu thereof "June 30, 1969".

CENTERS FOR DEAF-BLIND YOUTHS AND ADULTS

68 Stat. 662;
79 Stat. 1284.
29 USC 31 note.

Sec. 4. The Vocational Rehabilitation Act is further amended by redesignating section 17 as section 19 and by inserting after section 16 the following new section:

"NATIONAL CENTER FOR DEAF-BLIND YOUTHS AND ADULTS

"Sec. 17. (a) In order—

"(1) to demonstrate methods of (A) providing the specialized, intensive services, as well as other services, needed to rehabilitate handicapped individuals who are both deaf and blind, and (B) training the professional and allied personnel needed adequately to staff facilities specially designed to provide such services and training such personnel who have been or will be working with the deaf-blind;

"(2) to conduct research in the problems of, and ways of meeting the problems of rehabilitating, the deaf-blind; and

"(3) to aid in the conduct of related activities which will expand or improve the services for or help improve public understanding of the problems of the daef-blind;

the Secretary is suthorized to enter into an agreement with any public or nonprofit private agency or organization for payment by the United States of all or part of the costs of the establishment and operation, including construction and equipment, of a center for vocational rehabilitation of handicapped individuals who are both deaf and blind which shall be known as the National Center for Deaf-Blind Youths and Adults.

"(b) Any agency or organization desiring to enter into such an agreement shall submit a proposal therefor at such time, in such manner, and containing such information as may be prescribed by the Secretary. In considering such proposals, the Secretary shall give preference to those proposals which (1) give promise of maximum effectiveness in the organization and operation of the National Center for Deaf-Blind Youths and Adults, and (2) give promise of offering the most substantial skill, experience, and capability in providing a broad program of service, research, training, and related activities in the field of rehabilitation of the deaf-blind.

"(c) The agreement shall—

"(1) provide that Federal funds paid to the agency or organization for the Center will be used only for the purposes for which paid and in accordance with the applicable provisions of this section and the agreement made pursuant thereto;

Report to Congress.

"(2) provide that the agency or organization making the agreement will make an annual report to the Secretary, which the Secretary in turn shall transmit to the Congress with such comments and recommendations as he may deem appropriate;

"(3) provide that any laborer or mechanic employed by any contractor or subcontractor in the performance of work on any construction aided by Federal funds under this section will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5); with the Secretary of Labor having, with respect to the labor standards specified in this paragraph, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c); and

81 Stat. 251.
81 Stat. 252.
49 Stat. 1011;
78 Stat. 238.
64 Stat. 1267.
63 Stat. 108.

"(4) include such other conditions as the Secretary deems necessary to carry out the purposes of this section.

"(d) If within twenty years after the completion of any construction (except minor remodeling or alteration) for which funds have been paid pursuant to an agreement under this section the facility constructed ceases to be used for the purposes for which it was constructed or the agreement is terminated, the United States, unless the Secretary determines that there is good cause for releasing the recipient of the funds from its obligation, shall be entitled to recover from the applicant or other owner of the facility an amount which bears the same ratio to the then value of the facility as the amount of such Federal funds bore to the cost of the portion of the facility financed with such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

"(e) For purposes of this section—

"Construction."

"(1) the term 'construction' means construction of new buildings, acquisition of existing buildings, and expansion, remodeling, alteration, and renovation of existing buildings, and initial equipment of such new, newly acquired, expanded, remodeled, altered, or renovated buildings; and includes the cost of architects' fees and acquisition of land in connection with any of the foregoing, but does not include the cost of off-site improvements;

"(2) the determination of who are both deaf and blind shall be made in accordance with regulations of the Secretary."

SERVICES FOR MIGRATORY AGRICULTURAL WORKERS

29 USC 31 note.

SEC. 5. The Vocational Rehabilitation Act is further amended by inserting after section 17 (added by section 4 of this Act) the following new section:

"PROJECT GRANTS FOR SERVICES FOR MIGRATORY AGRICULTURAL WORKERS

68 Stat. 656.
29 USC 35.

"SEC. 18. (a) The Secretary is authorized to make grants to any State agency designated pursuant to a State plan approved under section 5, or to any local agency participating in the administration of such a plan, for not to exceed 90 per centum of the cost of pilot or demonstration projects for the provision of vocational rehabilitation services to handicapped individuals who, as determined in accordance with rules prescribed by the Secretary of Labor, are migratory agricultural workers, and to members of their families (whether or not handicapped) who are with them, including maintenance and transportation of such individuals and members of their families where necessary to the rehabilitation of that individual. Maintenance payments under this section shall be consistent with any maintenance payments made to other handicapped individuals in the State under the Vocational Rehabilitation Act. Such grants shall be conditioned upon satisfactory assurance that in the provision of such services there will be appropriate cooperation between the grantee and other public and private nonprofit agencies having special skills and experience in the provision of services to migratory agricultural workers or their families. This section shall be administered in coordination with other provisions of law dealing specifically with migrant agricultural workers, including title I of the Elementary and Secondary Education Act of 1965, section 311 of the Economic Opportunity Act of 1964, and the Farm Labor Contractor Registration Act of 1963."

81 Stat. 252.
81 Stat. 253.
79 Stat. 27.
20 USC 241a note.
79 Stat. 977.
42 USC 2861.
78 Stat. 920.

RESIDENCE REQUIREMENT

7 USC 2041 note.
68 Stat. 656.

SEC. 6. Section 5(a) of the Vocational Rehabilitation Act (29 U.S.C. sec. 35(a)) is amended by striking out "and" after the semicolon at the end of paragraph (10), by striking out the period at the end of paragraph (11) and inserting in lieu thereof "; and", and by inserting after paragraph (11) the following new paragraph:

> "(12) effective July 1, 1969, provide that no residence requirement will be imposed which excludes from services under the plan any individual who is present in the State."

MATCHING REQUIREMENT FOR THE DISTRICT OF COLUMBIA

SEC. 7. Effective July 1, 1968, section 11(h)(1)(B) of the Vocational Rehabilitation Act is amended by inserting "the District of Columbia," after "the allotment percentage for". 68 Stat. 661. 29 USC 41.

7. LIBRARY SERVICES AND CONSTRUCTION ACT AMENDMENTS

(Public Law 90–154, approved November 24, 1967)

A. Legislative History

Hearings on bills to amend the Library Services and Construction Act were held before the (House) Committee on Education and Labor on August 30, 1967.

H.R. 13048 was introduced on September 21, 1967, by Representative Carl D. Perkins, of Kentucky (chairman of the Committee on Education and Labor) and others. It was referred to the Committee on Education and Labor. It was reported from that committee on October 6, 1967 (H. Rept. 744). It passed the House, under suspension of the rules, on October 16, 1967. It was reported in the Senate, from the Committee on Labor and Public Welfare, on November 2, 1967 (S. Rept. 716). It passed the Senate on November 6, 1967. It was approved by the President on November 24, 1967, and became Public Law 90–154.

B. Digest of the Act

The act extends to June 30, 1968, the provisions of the Library Services and Construction Act pertaining to payment to States eligible under this act. It provides that the Trust Territories of the Pacific Islands shall receive 100 percent of the total sums expended pursuant to a plan under this act.

C. Text of the Act

Following is the text of Public Law 90–154:

81 Stat. 509.

AN ACT To make certain technical amendments to the Library Services and Construction Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 303 of the Library Services and Construction Act (20 U.S.C. 355e–2) is amended by striking out "June 30, 1967" and inserting in lieu thereof "June 30, 1968" and by inserting before the period at the end thereof the following: ", except that the

Library Services and Construction Act, amendments. 80 Stat. 314.

Federal share for the Trust Territory of the Pacific Islands shall be 100 per centum".

20 USC 355f-2.

SEC. 2. Section 403 of such Act is amended by striking out "June 30, 1967" and inserting in lieu thereof "June 30, 1968".

SEC. 3. Paragraph (5) of section 404(a) of such Act is amended by inserting "second" immediately before "preceding".

20 USC 355f-6.

SEC. 4. Section 413 of such Act is amended by striking out "June 30, 1967," and inserting "June 30, 1968,".

SEC. 5. Paragraph (2) of section 414(a) of such Act is amended by striking out "State plans for".

78 Stat. 14; 80 Stat. 317.

SEC. 6. Subsection (d) of section 504 of such Act is amended by inserting "acquisition," immediately before "expansion".

20 USC 358. Effective date.

SEC. 7. The amendments made by the first section and section 3 of this Act shall be effective with respect to fiscal years beginning after June 30, 1967.

8. MENTAL RETARDATION AMENDMENTS OF 1967

(Public Law 90-170, approved December 4, 1967)

A. LEGISLATIVE HISTORY

H.R. 6430, the Mental Retardation Amendments of 1967, was introduced on March 1, 1967 by Representative Harley O. Staggers, of West Virginia. The bill was referred to the Committee on Interstate and Foreign Commerce.

Hearings on H.R. 6430 and other bills were held before the Subcommittee on Public Health and Welfare of the (House) Committee on Interstate and Foreign Commerce on April 25 and 26, 1967.

H.R. 6430 was reported from the Committee on Interstate and Foreign Commerce on August 17, 1967 (H. Rept. 562). It passed the House on September 20, 1967.

Hearings on Mental Retardation Amendments of 1967 were held before the Subcommittee on Health of the Committee on Labor and Public Welfare on October 11, 1967.

H.R. 6430 was reported in the Senate, from the Committee on Labor and Public Welfare, on November 4, 1967 (S. Rept. 725). It passed the Senate amended, on November 6, 1967. On November 7, 1967, the House asked for a conference. On November 9, 1967, the Senate agreed to a conference. The conference report was filed on November 16, 1967 (H. Rept. 954). The House and Senate both agreed to the conference report on November 21, 1967. The act was approved December 4, 1967, and became Public Law 90-170.

B. DIGEST OF THE ACT

Following is a digest of Public Law 90-170.

The act extends through June 30, 1970, the programs under which grants are made for the construction of university-affiliated mental retardation facilities and community mental retardation facilities.

It permits 2 percent of the funds for construction of university-affiliated mental retardation facilities to be used for planning the construction of such facilities. Permits States to use up to two percent, or $50,000, whichever is less, of its allotments for the construction of community mental retardation facilities for covering not to exceed 50 percent of the cost of administering its State plan.

It establishes a new program of matching grants following the same formula as set out in the Community Mental Health Centers Act to help meet the cost of technical and professional personnel serving in community mental retardation facilities.

It authorizes the appropriation of $55 million for fiscal year 1970 for the existing program of training teachers of handicapped children.

The act authorizes the Secretary of Health, Education, and Welfare to make grants to public and other nonprofit institutions of higher learning to assist them in providing professional or advanced training for personnel engaged or preparing to engage in employment as physical educators or recreation personnel for mentally retarded and other handicapped children, or as supervisors of such personnel, or engaged or preparing to engage in research or teaching in fields related to the physical education or recreation of such children.

The act also: (1) authorizes the Secretary to make grants to States, State or local educational agencies, public and nonprofit private institutions of higher learning, and other public or nonprofit private educational or research agencies and organizations, for research or demonstration projects relating to physical education or recreation for mentally retarded and other handicapped children; (2) authorizes appropriations for fiscal years 1968, 1969, and 1970 to enable the Secretary to make the above grants; (3) directs the Secretary to appoint an advisory committee to advise him on general policy relating to the administration of these grant programs.

C. Text of the Act

Following is the text of Public Law 90–170.

81 Stat. 527.

AN ACT To amend the public health laws relating to mental retardation to extend, expand, and improve them, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Mental Retardation Amendments of 1967".

Mental Retardation Amendments of 1967.

GRANTS FOR CONSTRUCTION OF UNIVERSITY-AFFILIATED MENTAL RETARDATION CLINICAL FACILITIES

Sec. 2. (a) The first sentence of section 121 of the Mental Retardation Facilities Construction Act (42 U.S.C. 2661) is amended by striking out "and $10,000,000 each for the fiscal year ending June 30, 1966, and the fiscal year ending June 30, 1967" and inserting in lieu thereof "$10,000,000 each for the fiscal year ending June 30, 1966, the fiscal year ending June 30, 1967, and the fiscal year ending June 30, 1968, and $20,000,000 each for the fiscal year ending June 30, 1969, and the fiscal year ending June 30, 1970".

77 Stat. 284.

(b) Such sentence is further amended by inserting "(which, for purposes of this part, includes other neurological handicapping conditions found by the Secretary to be sufficiently related to mental retardation to warrant inclusion in this part)" after "the mentally retarded" the first time it appears therein, and by inserting "including research incidental or related to any of the foregoing activities," before "there are authorized to be appropriated".

77 Stat. 285.

(c) Section 125 of such Act (42 U.S.C. 2665) is amended by striking out "four", and by striking out "June 30, 1967" and inserting in lieu thereof "June 30, 1970".

(d)(1) Section 121 of such Act is amended—

(A) by inserting "(a)" immediately after "Sec. 121.",

(B) by inserting (in the first sentence thereof) immediately after "construction" the following: "(and the planning for the construction)",

(C) by striking out "The" (in the second sentence thereof) and inserting in lieu thereof "Except as provided in subsection (b), the", and

(D) by adding after and below such section the following new subsection:

"(b)(1) Of the sums appropriated pursuant to subsection (a) for any fiscal year, beginning with the fiscal year ending June 30, 1968, an amount equal to 2 per centum thereof (or such smaller amount as the Secretary may determine to be appropriate) shall be available to the Secretary for the purpose of making grants to cover not to exceed 75 per centum of the costs of the planning of projects with respect to the construction of which applications for grants may be made under this part. Not more than $25,000 shall be granted under this subsection with respect to any project.

"(2) Planning grants under this subsection shall be made by the Secretary to such applicants and upon such terms and conditions as he shall by regulations prescribe. Payment of grants under this subsection shall be made in advance or by way of reimbursement, as the Secretary may determine.

"(3) Whenever, in the succeeding provisions of this part, the term 'grant', 'grants', or 'funds' is employed, such term shall be deemed not to include any grant under this subsection or any of the funds of any such grant."

GRANTS FOR CONSTRUCTION OF COMMUNITY FACILITIES FOR THE MENTALLY RETARDED

77 Stat. 286.

Sec. 3. (a) Section 131 of the Mental Retardation Facilities Construction Act (42 U.S.C. 2671) is amended by striking out "and $30,000,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof "$30,000,000 each for the fiscal year ending June 30, 1968, and the fiscal year ending June 30, 1969, and $50,000,000 for the fiscal year ending June 30, 1970".

77 Stat. 289.
42 USC 2677.
42 USC 2672.

(b) Section 137 of such Act is amended by striking out "four", and by striking out "1968" and inserting in lieu thereof "1970".

(c) Section 132 of such Act is amended by inserting at the end thereof the following new subsection:

"(d) (1) At the request of any State, a portion of any allotment or allotments of such State under this part shall be available to pay one-half (or such smaller share as the State may request) of the expenditures found necessary by the Secretary for the proper and efficient administration during such year of the State plan approved under this part; except that not more than 2 per centum of the total of the allotments of such State for a year, or $50,000, whichever is less, shall be available for such purpose for such year. Payments of amounts due under this paragraph may be made in advance or by way of reimbursement, and in such installments, as the Secretary may determine.

"(2) Any amount paid under paragraph (1) to any State for any fiscal year shall be paid on condition that there shall be expended from State sources for such year for administration of the State plan approved under this part not less than the total amount expended for such purposes from such sources during the fiscal year ending June 30, 1967."

GRANTS FOR STAFFING OF COMMUNITY MENTAL RETARDATION FACILITIES

SEC. 4. The Mental Retardation Facilities Construction Act is further amended (1) by amending the heading thereof to read TITLE I—FACILITIES FOR THE MENTALLY RETARDED", and (2) by adding at the end thereof the following new part:

77 Stat. 282.
42 USC 2661 note.

"PART D—GRANTS FOR THE COST OF PROFESSIONAL AND TECHNICAL PERSONNEL OF COMMUNITY MENTAL RETARDATION FACILITIES

"AUTHORIZATION OF GRANTS

"SEC. 141. (a) For the purpose of assisting in the establishment and initial operation of facilities for the mentally retarded providing all or part of a program of comprehensive services for the mentally retarded principally designed to serve the needs of the particular community or communities in or near which the facility is situated, the Secretary may, in accordance with the provisions of this part, make grants to meet, for the temporary periods specified in this section, a portion of the costs (determined pursuant to regulations under section 144) of compensation of professional and technical personnel for the initial operation of new facilities for the mentally retarded or of new services in facilities for the mentally retarded.

"(b) Grants for such costs for any facility for the mentally retarded under this part may be made only for the period beginning with the first day of the first month for which such a grant is made and ending with the close of four years and three months after such first day; and such grants with respect to any such facility may not exceed 75 per centum of such costs for the period ending with the close of the fifteenth month following such first day, 60 per centum of such costs for the first year thereafter, 45 per centum of such costs for the

81 Stat. 529.

second year thereafter, and 30 per centum of such costs for the third year thereafter.

"(c) In making such grants, the Secretary shall take into account the relative needs of the several States for services for the mentally retarded, their relative financial needs, and their populations.

"APPLICATIONS AND CONDITIONS FOR APPROVAL

"SEC. 142. (a) Grants under this part with respect to any facility for the mentally retarded may be made only upon application, and only if—

"(1) the applicant is a public or nonprofit private agency or organization which owns or operates the facility;

77 Stat. 286.
42 USC 2671-2677.

"(2)(A) a grant was made under part C of this title to assist in financing the construction of the facility or (B) the type of service to be provided as part of such program with the aid of a grant under this part was not previously being provided by the facility with respect to which such application is made;

"(3) the Secretary determines that there is satisfactory assurance that Federal funds made available under this part for any period will be so used as to supplement and, to the extent practical, increase the level of State, local, and other non-Federal funds for mental retardation services that would in the absence of such Federal funds be made available for (or under) the program described in paragraph (2) of this subsection, and will in no event supplant such State, local, and other non-Federal funds; and

"(4) in the case of an applicant in a State which has in existence a State plan relating to the provision of services for the mentally retarded, the services to be provided by the facility are consistent with the plan.

"(b) No grant may be made under this part after June 30, 1972, with respect to any facility for the mentally retarded or with respect to any type of service provided by such a facility unless a grant with respect thereto was made under this part prior to July 1, 1970.

"PAYMENTS

"SEC. 143. Payment of grants under this part may be made (after necessary adjustment on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and on such terms and conditions and in such installments, as the Secretary may determine.

"REGULATIONS

"SEC. 144. The Secretary shall prescribe general regulations concerning the eligibility of facilities under this part, determination of eligible costs with respect to which grants may be made, and the terms and conditions (including those specified in section 142) for approving applications under this part.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 145. There are authorized to be appropriated $7,000,000 for the fiscal year ending June 30, 1968, $10,000,000 for the fiscal year ending June 30, 1969, and $14,000,000 for the fiscal year ending June 30, 1970, to enable the Secretary to make initial grants to facilities for the mentally retarded under the provisions of this part. For the fiscal year ending June 30, 1969, and each of the next five years, there are authorized to be appropriated such sums as may be necessary to make grants to such facilities which have previously received a grant under this part and are eligible for such a grant for the year for which sums are being appropriated under this sentence."

81 Stat. 530.

SEC. 5. Paragraph (7) of section 134 of the Mental Retardation Facilities Construction Act (42 U.S.C. 2674), is amended by inserting before the semicolon at the end thereof "and, effective July 1, 1969, provide for enforcement of such standards with respect to projects approved by the Secretary under this part after June 30, 1967".

77 Stat. 288.

EDUCATION OF HANDICAPPED CHILDREN

SEC. 6. Section 7 of the Act of September 6, 1958 (20 U.S.C. 617), is amended by striking out "and" before "$37,500,000", and by inserting ", and $55,000,000 for the fiscal year ending June 30, 1970", after "June 30, 1969".

79 Stat. 430.

SEC. 7. The Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 is amended by adding at the end thereof the following:

77 Stat. 282.
42 USC 2661 note.

"TITLE V—TRAINING OF PHYSICAL EDUCATORS AND RECREATION PERSONNEL FOR MENTALLY RETARDED AND OTHER HANDICAPPED CHILDREN

"GRANTS; AUTHORIZATION OF APPROPRIATIONS

"SEC. 501. (a) The Secretary is authorized to make grants to public and other nonprofit institutions of higher learning to assist them in providing professional or advanced training for personnel engaged or preparing to engage in employment as physical educators or recreation personnel for mentally retarded and other handicapped children (as defined in the first section of the Act of September 6, 1958 (20 U.S.C. 611)) or as supervisors of such personnel, or engaged or preparing to engage in research or teaching in fields related to the physical education or recreation of such children.

72 Stat. 1777;
77 Stat. 294.

Appropriation.

"(b) For the purpose of making the grants authorized under subsection (a), there is authorized to be appropriated for the fiscal year ending June 30, 1968, $1,000,000; for the fiscal year ending June 30, 1969, $2,000,000; and for the fiscal year ending June 30, 1970, $3,000,000. Any sums appropriated for any such fiscal year and not obligated before the end thereof shall remain available for the succeeding fiscal year for the purpose for which appropriated.

"RESEARCH AND DEMONSTRATION PROJECTS IN PHYSICAL EDUCATION AND RECREATION FOR MENTALLY RETARDED AND OTHER HANDICAPPED CHILDREN

Appropriation.

"SEC. 502. (a)(1) There is authorized to be appropriated for the fiscal year ending June 30, 1968, $1,000,000, and for each of the two succeeding fiscal years, $1,500,000, to enable the Secretary to make grants to States, State or local educational agencies, public and nonprofit private institutions of higher learning, and other public or nonprofit private educational or research agencies and organizations, for research or demonstration projects relating to physical education or recreation for mentally retarded and other handicapped children (as defined in the first section of the Act of Spetember 6, 1958 (20 U.S.C. 611)).

"(2) Grants under paragraph (1) shall be made in installments, in advance or by way of reimbursement, and on such conditions as the Secretary may determine.

81 Stat. 531.

"(b) The Secretary shall from time to time appoint panels of experts who are competent to evaluate various types of research or demonstration projects under this section, and shall secure the advice and recommendations of one such panel before making any grant under this section.

"ADVISORY COMMITTEE

"SEC. 503. (a)(1) The Secretary shall appoint an advisory committee which shall consist of seven members to advise him on matters of general policy relating to the administration of this title. Three members of such committee shall be individuals from the field of physical education, two members thereof shall be individuals from the field of recreation, and two members thereof shall be individuals with experience or special interest in the education of the mentally retarded or other handicapped children.

"(2) The Secretary shall, from time to time, designate one of the members of such committee to serve as the chairman thereof.

Compensation, travel expenses.

"(b) Members of the advisory committee and members of any panel appointed pursuant to section 502(b), who are not regular full-time employees of the United States, shall, while serving on the business of such committee or such panel, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including travel time; and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703(b) of title 5, United States Code, for persons in the Government service employed intermittently."

80 Stat. 499.

9. PARTNERSHIP FOR HEALTH AMENDMENTS OF 1967

(Public Law 90–174, approved December 5, 1967)

A. Legislative History

H.R. 6418, the Partnership for Health Amendments of 1967, was introduced on March 1, 1967, by Representative Harley O. Staggers, of West Virginia. The bill was referred to the Committee on Interstate and Foreign Commerce. Hearings on this bill were held before the Committee on Interstate and Foreign Commerce on May 2, 3, 4, and June 20, 22, 1967. On August 3, 1967, the bill was reported in the House (H. Rept. 538). On September 20, 1967, the House passed the bill.

In the Senate, hearings on Partnership for Health Amendments were held before the Subcommittee on Health of the Committee on Labor and Public Welfare on September 25 and 26, 1967. H.R. 6418 was reported in the Senate, from the Committee on Labor and Public Welfare, on November 4, 1967 (S. Rept. 724). The Senate passed the bill, amended, on November 6, 1967.

On November 7, 1967, the House asked for a conference. On November 9, 1967, the Senate agreed to a conference. The conference report was filed on November 20, 1967 (H. Rept. 974). The House and Senate both agreed to the conference report on November 21, 1967. The Act was approved on December 5, 1967, and became Public Law 90–174.

B. Digest of the Act

Education and training and educational institutions are variously involved in Public Law 90–174. Following is a summary of the act.

The act increases the authorized appropriations for grants for comprehensive health planning and public health services under the Public Health Service Act.

It provides for assisting each health care facility in the participating States to develop a program for capital expenditures for replacement, modernization, and expansion consistent with the overall State plan.

It authorizes the Secretary of Health, Education, and Welfare to make grants and contracts for projects for the conduct of research, experiments, or demonstrations relating to the development, utilization, quality, organization, and financing of services, facilities, and resources of hospitals, long-term facilities, or other medical facilities, agencies, institutions, or organizations or to the development of new methods or the improvement of existing methods of organization, delivery, or financing health facilities and services. The act provides guidelines for this program.

It authorizes the Secretary to accept volunteer and uncompensated services for use in the operation of any health care facility or in the provision of health care.

The act authorizes the Secretary to enter into agreements providing for cooperative planning between the Public Health Service and communities to cope with health problems resulting from disasters or other health emergencies of such nature as warrant Federal assistance.

It authorizes the Secretary to enter into agreements and arrangements with schools of medicine or health, hospitals, and other health care facilities for the mutual use and interchange of facilities, resources and services.

It authorizes the Secretary to provide medical, surgical, dental treatment, hospitalization, and optometric care for Federal employees and their dependents at remote medical facilities of the Public Health Service where other medical care and treatment are not available. It requires payment for this care and treatment when its users are not entitled to it under any other provision of law.

The act authorizes the Secretary to make loans to organizations carrying out projects of application of novel means for the reduction of hospital costs when such organizations are confronted with construction costs which have increased substantially through no fault of their own.

It requires clinical laboratories which deal with the health of man to obtain a license to operate if they intend to operate in interstate commerce. It provides that the license be issued under standards found necessary by the Secretary to carry out the purpose of this act.

It provides standards for revoking, limiting, or suspending licenses, and gives an aggrieved party a right to a hearing and judicial review. It makes it a misdemeanor to violate this act and provides for a fine of up to $1,000 and/or imprisonment for not more than 1 year for each violation.

The act directs the Secretary to conduct a 6-month comprehensive survey of serious hunger, malnutrition, and health problems related thereto in the United States.

It authorizes the expenditure of $20,000,000 a year for fiscal years 1968 and 1969 for the eradication of rats as part of the public health program.

C. Text of the Act

Following is the text of Public Law 90-174, which variously involves education and training and public or nonprofit private agencies, including educational institutions.

81 Stat. 533.

AN ACT To amend the Public Health Service Act to extend and expand the authorizations for grants for comprehensive health planning and services, to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clinical laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes

Partnership for Health Amendments of 1967.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Partnership for Health Amendments of 1967".

GRANTS FOR COMPREHENSIVE HEALTH PLANNING AND PUBLIC HEALTH SERVICES

Health planning grants to States, appropriation. 80 Stat. 1181.

Sec. 2.(a)(1) Subsection (a)(1) of section 314 of the Public Health Service Act (42 U.S.C. 246, as amended by section 3 of the Comprehensive Health Planning and Public Health Services Amendments of 1966, Public Law 89-749) is amended (1) by striking out "1968" the first time it appears and inserting in lieu thereof "1970" and (2) by striking out "and $5,000,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof "$7,000,000 for the fiscal year ending June 30, 1968, $10,000,000 for the fiscal year ending June 30, 1969, and $15,000,000 for the fiscal year ending June 30, 1970".

State plans, standards.

(2) Subsection (a)(2) of such section is amended by redesignating subparagraphs (I) and (J) as subparagraphs (J) and (K), respectively, and by inserting after subparagraph (H) the following new paragraph:

> "(I) effective July 1, 1968, (i) provide for assisting each health care facility in the State to develop a program for capital expenditures for replacement, modernization, and expansion which is consistent with an overall State plan developed in accordance with criteria established by the Secretary after consultation with the State which will meet the needs of the State for health care facilities, equipment, and services without duplication and otherwise in the most efficient and economical manner, and (ii) provide that the State agency furnishing such assistance will periodically review the program (developed pursuant to clause (i)) of each health care facility in the State and recommend appropriate modification thereof;".

"Federal share" of expenditures.
80 Stat. 1183.

(3) The last sentence of subsection (a)(4) of such section is amended by inserting before the period at the end thereof ", except that in the case of the allotments for the fiscal year ending June 30, 1970, it shall not exceed 75 per centum of such cost".

Areawide health planning, project grants.

(b)(1) Subsection (b) of such section is amended by striking out "1968" the first time it appears and inserting in lieu thereof "1970" and by striking out "and $7,500,000 for the fiscal year ending June 30, 1968", and inserting in lieu thereof "$7,500,000 for the fiscal year ending June 30, 1968, $10,000,000 for the fiscal year ending June 30, 1969, and $15,000,000 for the fiscal year ending June 30, 1970".

Recipients.

(2) Such subsection (b) is further amended by inserting immediately after "project grants to any other public or nonprofit private agency or organization" the following: "(but with appropriate representation of the interests of local government where the recipient of the grant is not a local government or combination thereof or an agency of such government or combination)".

Training, studies, etc., program extension.

(c) Subsection (c) of such section is amended by striking out "1968" the first time it appears and inserting in lieu thereof "1970" and by striking out "and $2,500,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof "$2,500,000 for the fiscal year ending June 30, 1968, $5,000,000 for the fiscal year ending June 30, 1969, and $7,500,000 for the fiscal year ending June 30, 1970".

81 Stat. 534.
Comprehensive public health services, appropriation.
80 Stat. 1184.
42 USC 246.

(d)(1) Subsection (d)(1) of such section is amended by striking out "$62,500,000 for the fiscal year ending June 30, 1968," and inserting in lieu thereof "$70,000,000 for the fiscal year ending June 30, 1968, $90,000,000 for the fiscal year ending June 30, 1969, and $100,000,000 for the fiscal year ending June 30, 1970,".

(2) Effective July 1, 1968, subsection (d)(5) of such section is amended by inserting "the Trust Territory of the Pacific Islands," after "American Samoa,".

Allocation of funds.

(3) Subsection (d)(7) of such section is amended by adding at the end thereof the following new sentence: "Effective with respect to allotments under this subsection for fiscal years ending after June 30, 1968, at least 70 per centum of such amount reserved for mental health services and at least 70 per centum of the remainder of a State's allotment under this subsection shall be available only for the provision under the State plan of services in communities of the State."

Health services development grants, appropriation.
80 Stat. 1186.

(e) Subsection (e) of such section is amended by striking out "$62,500,000 for the fiscal year ending June 30, 1968," and inserting in lieu thereof "$90,000,000 for the fiscal year ending June 30, 1968, $95,000,000 for the fiscal year ending June 30, 1969, and $80,000,000 for the fiscal year ending June 30, 1970,".

"State."

(f) Effective July 1, 1968, subsection (g)(4)(B) of such section is amended by inserting "the Trust Territory of the Pacific Islands," after "American Samoa,".

Public health school grants, appropriation.
80 Stat. 1190.

(g) Effective July 1, 1967, subsection (c) of section 309 of such Act (42 U.S.C. 242g(c)), as amended by section 4 of the Comprehensive Health Planning and Public Health Services Amendments of 1966 (Public Law 89–749), is amended by striking out "each" after "$5,000,000" and by inserting after "the fiscal year ending June 30, 1968," the following: $6,000,000 for the fiscal year ending June 30, 1969, and $7,000,000 for the fiscal year ending June 30, 1970,".

RESEARCH AND DEMONSTRATIONS RELATING TO HEALTH FACILITIES AND SERVICES

SEC. 3. (a) Section 304 (42 U.S.C. 242b) of the Public Health Service Act is amended to read as follows:

69 Stat. 382;
70 Stat. 930.

"RESEARCH AND DEMONSTRATIONS RELATING TO HEALTH FACILITIES AND SERVICES

"SEC. 304. (a) The Secretary is authorized—

"(1) to make grants to States, political subdivisions, universities, hospitals, and other public or nonprofit private agencies, institutions, or organizations for projects for the conduct of research, experiments, or demonstrations (and related training), and

"(2) to make contracts with public or private agencies, institutions, or organizations for the conduct of research, experiments, or demonstrations (and related training),

relating to the development, utilization, quality, organization, and financing of services, facilities, and resources of hospitals, facilities for long-term care, or other medical facilities (including, for purposes of this section, facilities for the mentally retarded, as defined in the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963), agencies, institutions, or organizations or to development of new methods or improvement of existing methods of organiza-

77 Stat. 282.
42 USC 2661 note.
81 Stat. 535.

tion, delivery, or financing of health services, including, among others—

"(A) projects for the construction of units of hospitals, facilities for long-term care, or other medical facilities which involve experimental architectural designs or functional layout or use of new materials or new methods of construction, the efficiency of which can be tested and evaluated, or which involve the demonstration of such efficiency, particularly projects which also involve research, experiments, or demonstrations relating to delivery of health services, and

"(B) projects for development and testing of new equipment and systems, including automated equipment, and other new technology systems or concepts for the delivery of health services, and

"(C) projects for research and demonstration in new careers in health manpower and new ways of educating and utilizing health manpower.

Cost limitation.

"(b) Except where the Secretary determines that unusual circumstances make a larger percentage necessary in order to effectuate the purposes of this section, a grant or contract under this section with respect to any project for construction of a facility or for acquisition of equipment may not provide for payment of more than 50 per centum of so much of the cost of the facility or equipment as the Secretary determines is reasonably attributable to research, experimental, or demonstration purposes. The provisions of clause (5) of the third sentence of section 605(a) and such other conditions as the Secretary may determine shall apply with respect to grants or contracts under this section for projects for construction of a facility or for acquisition of equipment.

78 Stat. 454.
42 USC 291e.

"(c) Payments of any grants or under any contracts under this section may be made in advance or by way of reimbursement, and in such installments and on such conditions as the Secretary deems necessary to carry out the purposes of this section.

Appropriation.

"(d) There are authorized to be appropriated for payment of grants or under contracts under this section $20,000,000 for the fiscal year ending June 30, 1968, $40,000,000 for the fiscal year ending June 30, 1969, and $60,000,000 for the fiscal year ending June 30, 1970; except that, for any fiscal year ending after June 30, 1968, such portions of such sums as the Secretary may determine, but not exceeding 1 per centum thereof, shall be available to the Secretary for evaluation (directly or by grants or contracts) of the program authorized by this section."

Program evaluation.

Repeal.
78 Stat. 459.
42 USC 291n.

(b) Effective with respect to appropriations for fiscal years ending after June 30, 1967—

(1) section 624 of such Act is repealed; and

Ante, p. 534.

(2) the first sentence of section 314(e) of such Act is amended by inserting "or" at the end of clause (1), by striking out clause (3), by striking out ", or" at the end of clause (2), by inserting "(including related training)" after "providing services" in clause (1), and by amending

clause (2) to read: "(2) developing and supporting for an initial period new programs of health services (including related training)".

Unobligated funds, availability.

Ante, p. 534.

Any sums appropriated for the fiscal year ending June 30, 1968, for carrying out such sections 624 and 314(e)(3) which remain unobligated on the date of enactment of this Act shall be available for carrying out section 304 of the Public Health Service Act, and the total of such sums (and any portion of the appropriations for such year for such purpose obligated prior to such date of enactment in carrying out such sections) shall be deducted from the authorization for such year contained in such section 304.

81 Stat. 536.

COOPERATION WITH STATES IN EMERGENCIES

58 Stat. 693;
80 Stat. 1190.

SEC. 4. Section 311 of the Public Health Service Act (42 U.S.C. 243) is amended by inserting at the end thereof the following new subsection:

"(c) The Secretary may enter into agreements providing for cooperative planning between Public Health Service medical facilities and community health facilities to cope with health problems resulting from disasters, and for participation by Public Health Service medical facilities in carrying out such planning. He may also, at the request of the appropriate State or local authority, extend temporary (not in excess of forty-five days) assistance to States or localities in meeting health emergencies of such a nature as to warrant Federal assistance. The Secretary may require such reimbursement of the United States for aid (other than planning) under the preceding sentences of this subsection as he may determine to be reasonable under the circumstances. Any reimbursement so paid shall be credited to the applicable appropriation of the Public Health Service for the year in which such reimbursement is received."

Reimbursement of U.S.

CLINICAL LABORATORIES IMPROVEMENT

Clinical Laboratories Improvement Act of 1967.
58 Stat. 702.

SEC. 5. (a) Part F of title III of the Public Health Service Act (42 U.S.C. 262–3) is amended by changing the title to read: "LICENSING—BIOLOGICAL PRODUCTS AND CLINICAL LABORATORIES", and by adding after section 352 (42 U.S.C. 263) the following new section:

"LICENSING OF LABORATORIES

"SEC. 353. (a) As used in this section—

"Laboratory;"
"clinical laboratory."

"(1) the term 'laboratory' or 'clinical laboratory' means a facility for the biological, microbiological, serological, chemical, immuno-hematological, hematological, biophysical, cytological, pathological, or other examination of materials derived from the human body, for the purpose of providing information for the diagnosis, prevention, or treatment of any disease or impairment of, or the assessment of the health of, man;

"Interstate Commerce."

"(2) The term 'interstate commerce' means trade, traffic, commerce, transportation, transmission, or communication between any State or possession of the United States, the Commonwealth of Puerto Rico, or the District of Columbia, and any place outside thereof, or within the District of Columbia.

"(b) (1) No person may solicit or accept in interstate commerce, directly or indirectly, any specimen for laboratory examination or other laboratory procedures unless there is in effect a license for such laboratory issued by the Secretary under this section applicable to such procedures.

"(2) The Secretary shall by regulation exempt from the provisions of this section laboratories whose operations are so small or infrequent as not to constitute a significant threat to the public health. Exemption.

"(c) A license issued by the Secretary under this section may be applicable to all laboratory procedures or only to specified laboratory procedures or categories of laboratory procedures.

"(d)(1) A license shall not be issued in the case of any clinical laboratory unless (A) the application therefor contains or is accompanied by such information as the Secretary finds necessary, and (B) the applicant agrees and the Secretary determines that such laboratory will be operated in accordance with standards found necessary by the Secretary to carry out the purposes of this section. Such standards shall be designed to assure consistent performance by the laboratories of accurate laboratory procedures and services, and shall include, among others, standards to assure— Standards. 81 Stat. 537.

"(i) maintenance of a quality control program adequate and appropriate for accuracy of the laboratory procedures and services;

"(ii) maintenance of records, equipment, and facilities necessary to proper and effective operation of the laboratory;

"(iii) qualifications of the director of the laboratory and other supervisory professional personnel necessary for adequate and effective professional supervision of the operation of the laboratory (which shall include criteria relating to the extent to which training and experience shall be substituted for education); and

"(iv) participation in a proficiency testing program established by the Secretary.

"(2) A license issued under this section shall be valid for a period of three years, or such shorter period as the Secretary may establish for any clinical laboratory or any class or classes thereof; and may be renewed in such manner as the Secretary may prescribe. The provisions of this section requiring licensing shall not apply to a clinical laboratory in a hospital accredited by the Joint Commission on the Accreditation of Hospitals or by the American Osteopathic Association, or a laboratory which has been inspected and accredited by such commission or association, by the Commission on Inspection and Accreditation of the College of American Pathologists, or by any other national accreditation body approved for the purpose by the Secretary, but only if the standards applied by such commission, association, or other body in determining whether or not to Period of validity.

accredit such hospital or laboratory are equal to or more stringent than the provisions of this section and the rules and regulations issued under this section, and only if there is adequate provision for assuring that such standards continue to be met by such hospital or laboratory; provided that any such laboratory shall be treated as a licensed laboratory for all other purposes of this section.

License fees.

"(3) The Secretary may require payment of fees for the issuance and renewal of licenses, but the amount of any such fee shall not exceed $125 per annum.

Revocation, etc.

"(e) A laboratory license may be revoked, suspended, or limited if the Secretary finds, after reasonable notice and opportunity for hearing to the owner or operator of the laboratory, that such owner or operator or any employee of the laboratory—

"(1) has been guilty of misrepresentation in obtaining the license;

"(2) has engaged or attempted to engage or represented himself as entitled to perform any laboratory procedure or category of procedures not authorized in the license;

"(3) has failed to comply with the standards with respect to laboratories and laboratory personnel prescribed by the Secretary pursuant to this section;

"(4) has failed to comply with reasonable requests of the Secretary for any information or materials, or work on materials, he deems necessary to determine the laboratory's continued eligibility for its license hereunder or continued compliance with the Secretary's standards hereunder;

"(5) has refused a request of the Secretary or any Federal officer or employee duly designated by him for permission to inspect the laboratory and its operations and pertinent records at any reasonable time; or

"(6) has violated or aided and abetted in the violation of any provisions of this section or of any rule or regulation promulgated thereunder.

81 Stat. 538.

Legal procedure.

"(f) Whenever the Secretary has reason to believe that continuation of any activity by a laboratory licensed under this section would constitute an imminent hazard to the public health, he may bring suit in the district court for the district in which such laboratory is situated to enjoin continuation of such activity and, upon proper showing, a temporary injunction or restraining order against continuation of such activity pending issuance of a final order under this section shall be granted without bond by such court.

Judicial review.

"(g)(1) Any party aggrieved by any final action taken under subsection (e) of this section may at any time within sixty days after the date of such action file a petition with the United States court of appeals for the circuit wherein such person resides or has his principal place of business, for judicial review of such action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary or other officer designated by him for that purpose. The Secretary thereupon shall file in the court the record on which the action of the

Secretary is based, as provided in section 2112 of title 28, United States Code.

"(2) If the petitioner applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Secretary, the court may order such additional evidence (and evidence in rebuttal thereof) to be taken before the Secretary, and to be adduced upon the hearing in such manner and upon such terms and conditions as the court may deem proper. The Secretary may modify his findings, as to the facts, or make new findings, by reason of the additional evidence so taken, and he shall file such modified or new findings, and his recommendations, if any, for the modification or setting aside of his original action, with the return of such additional evidence. 72 Stat. 941; 80 Stat. 1323.

"(3) Upon the filing of the petition referred to in paragraph (1) of this subsection, the court shall have jurisdiction to affirm the action, or to set it aside in whole or in part, temporarily or permanently. The findings of the Secretary as to the facts, if supported by substantial evidence, shall be conclusive.

"(4) The judgment of the court affirming or setting aside, in whole or in part, any such action of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. 62 Stat. 928.

"(h) Any person who willfully violates any provision of this section or any rule or regulation promulgated thereunder shall be guilty of a misdemeanor and shall on conviction thereof be subject to imprisonment for not more than one year, or a fine of not more than $1,000, or both such imprisonment and fine. Penalty.

"(i) The provisions of this section shall not apply to any clinical laboratory operated by a licensed physician, osteopath, dentist, or podiatrist, or group thereof, who performs or perform laboratory tests or procedures, personally or through his or their employees, solely as an adjunct to the treatment of his or their own patients; nor shall such provisions apply to any laboratory with respect to tests or other procedures made by it for any person engaged in the business of insurance if made solely for purposes of determining whether to write an insurance contract or of determining eligibility or continued eligibility for payments thereunder. Exemptions.

"(j) In carrying out his functions under this section, the Secretary is authorized, pursuant to agreement, to utilize the services or facilities of any Federal or State or local public agency or nonprofit private agency or organization, and may pay therefor in advance or by way of reimbursement, and in such installments, as he may determine. 81 Stat. 539.

"(k) Nothing in this section shall be construed as affecting the power of any State to enact and enforce laws relating to the matters covered by this section to the extent that such laws are not inconsistent with the provisions of this section or with the rules and regulations issued under this section.

"(l) Where a State has enacted or hereafter enacts laws relating to matters covered by this section, which provide for standards equal to or more stringent than the provisions of this section or than the rules and regulations issued under this section, the Secretary may exempt clinical laboratories in that State from compliance with this section."

Effective date.

(b) The amendment made by subsection (a) shall become effective on the first day of the thirteenth month after the month in which it is enacted, except that the Secretary of Health, Education, and Welfare may postpone such effective date for such additional period as he finds necessary, but not beyond the first day of the 19th month after such month in which the amendment is enacted.

Short title.

(c) This section may be cited as the "Clinical Laboratories Improvement Act of 1967".

VOLUNTEER SERVICES

58 Stat. 683.
42 USC 202
et seq.

Sec. 6. Title II of the Public Health Service Act is amended by adding after section 222 (42 U.S.C. 217a) the following new section:

"VOLUNTEER SERVICES

"Sec. 223. Subject to regulations, volunteer and uncompensated services may be accepted by the Secretary, or by any other officer or employee of the Department of Health, Education, and Welfare designated by him, for use in the operation of any health care facility or in the provision of health care."

COOPERATION AS TO MEDICAL CARE FACILITIES AND RESOURCES

58 Stat. 695.
42 USC 248
et seq.

Sec. 7. Part C of title III of the Public Health Service Act is amended by adding after section 327 (42 U.S.C. 254) the following new section:

"SHARING OF MEDICAL CARE FACILITIES AND RESOURCES

"Sec. 328. (a) For purposes of this section—

"Specialized health resources."

"(1) the term 'specialized health resources' means health care resources (whether equipment, space, or personnel) which, because of cost, limited availability, or unusual nature, are either unique in the health care community or are subject to maximum utilization only through mutual use;

"Hospital."

"(2) the term 'hospital', unless otherwsie specified, includes (in addition to other hospitals) any Federal hospital.

"(b) For the purpose of maintaining or improving the quality of care in Public Health Service facilities and to provide a professional environment therein which will help to attract and retain highly qualified and talented health personnel, to encourage mutually beneficial relationships between Public Health Service facilities and hospitals and other health facilities in the health care community, and to promote the full utilization of hospitals and other health facilities and resources, the Secretary may—

"(1) enter into agreements or arrangements with schools of medicine, and with other health schools, agencies, or institutions, for such interchange or cooperative use of facilities and services on a reciprocal or reimbursable basis, as will be of benefit to the training or research programs of the participating agencies; and

81 Stat. 540.

"(2) enter into agreements or arrangements with hospitals and other health care facilities for the mutual use or the exchange of use of specialized health resources, and providing for reciprocal reimbursement.

Any reimbursement pursuant to any such agreement or arrangement shall be based on charges covering the reasonable cost of such utilization, including normal depreciation and amortization costs of equipment. Any proceeds to the Government under this subsection shall be credited to the applicable appropriation of the Public Health Service for the year in which such proceeds are received."

PROGRAM EVALUATION

SEC. 8. (a) Paragraph (1) of section 314(d) of the Public Health Service Act is amended by inserting before the period at the end thereof the following: "; except that, for any fiscal year ending after June 30, 1968, such portion of such sums as the Secretary may determine, but not exceeding 1 per centum thereof, shall be available to the Secretary for evaluation (directly or by grants or contracts) of the program authorized by this subsection and the amount available for allotments hereunder shall be reduced accordingly".

Ante, p. 534.

(b) Section 314(e) of such Act is amended by inserting at the end thereof the following new sentence: "For any fiscal year ending after June 30, 1968, such portion of the appropriations for grants under this subsection as the Secretary may determine, but not exceeding 1 per centum thereof, shall be available to the Secretary for evaluation (directly or by grants or contracts) of the program authorized by this subsection."

Ante, pp. 534, 535.

(c) Section 309(c) of such Act is amended by inserting "(1)" after "except that" and by inserting before the period at the end thereof the following: ", and (2) for any fiscal year ending after June 30, 1968, such portions of the funds made available under this subsection as the Secretary may determine, but not exceeding 1 per centum thereof, shall be available to the Secretary for evaluation (directly or by grants or contracts) of the program authorized by this subsection".

Ante, p. 534.

RESEARCH CONTRACT AUTHORITY

SEC. 9. Paragraph (h) of section 301 of the Public Health Service Act (42 U.S.C. 241) is amended by striking out "two succeeding fiscal years" and by inserting in lieu thereof "five succeeding fiscal years".

79 Stat. 448.

MEDICAL CARE FOR FEDERAL EMPLOYEES AT REMOTE STATIONS OF THE SERVICE

58 Stat. 697.

SEC. 10. (a) Section 324 of the Public Health Service Act (42 U.S.C. 251) is amended by inserting "(a)" immediately after "SEC. 324." and by redesignating clauses (a) through (d) of such section, and references thereto, as clauses (1) through (4).

(b) Section 324 of such Act is further amended by adding at the end thereof the following new subsection:

80 Stat. 600.

81 Stat. 541.

"(b) The Secretary is authorized to provide medical, surgical, and dental treatment and hospitalization and optometric care for Federal employees (as defined in section 8901(1) of title 5 of the United States Code) and their dependents at remote medical facilities of the Public Health Service where such care and treatment are not otherwise available. Such employees and their dependents who are not entitled to this care and treatment under any other provision of law shall be charged for it at rates established by the Secretary to reflect the reasonable cost of providing the care and treatment. Any payments pursuant to the preceding sentence shall be credited to the applicable appropriation to the Public Health Service for the year in which such payments are received."

58 Stat. 696.
42 USC 249.

(c) Paragraph (7) of subsection (a) of section 322 of such Act is amended to read as follows:

"(7) Seamen-trainees, while participating in maritime training programs to develop or enhance their employability in the maritime industry; and".

PROJECTS FOR HOSPITAL EXPERIMENTATION, LOANS FOR INCREASED COSTS

78 Stat. 447.
42 USC 291-291o.

SEC. 11. Title VI of the Public Health Service Act is amended by inserting immediately after section 623 the following new section:

"LOANS FOR CERTAIN HOSPITAL EXPERIMENTATION PROJECTS

63 Stat. 900;
75 Stat. 825.
42 USC 291n note.
78 Stat. 447.
42 USC 291 note.

"SEC. 623A. (a) In order to alleviate hardship on any recipient of a grant under section 636 of this title (as in effect immediately before the enactment of the Hospital and Medical Facilities Amendments of 1964) for a project for the construction of an experimental or demonstration facility having as its specific purpose the application of novel means for the reduction of hospital costs with respect to which there has been a substantial increase in the cost of such construction (over the estimated cost of such project on the basis of which such grant was made) through no fault of such recipient, the Secretary is authorized to make a loan to such recipient not exceeding 66⅔ per centum of such increased costs, as determined by the Secretary, if the Secretary determines that such recipient is unable to obtain such an amount for such purpose from other public or private sources.

"(b) Any such loan shall be made only on the basis of an application submitted to the Secretary in such form and containing such information and assurances as he may prescribe.

Interest.

"(c) Each such loan shall bear interest at the rate of 2½ per centum per annum on the unpaid balance thereof and shall be repayable over a period determined by the Secretary to be appropriate, but not exceeding fifty years.

Appropriation.

"(d) There are hereby authorized to be appropriated $3,500,000 to carry out the provisions of this section."

MINOR OR TECHNICAL AMENDMENTS

Nurse training.
78 Stat. 912.
80 Stat. 1234.
42 USC 297f.
80 Stat. 1237.
42 USC 298c-1.

Sec. 12. (a) Section 806(c)(1) of the Public Health Service Act (42 U.S.C. 296e(c)(1)) is amended by inserting after "from a loan fund established pursuant to section 822" the following: "or from sums paid by the Secretary from the revolving fund created by section 827(d), or a nursing educational opportunity grant payment made pursuant to section 862".

Health conferences.
60 Stat. 424.

(b) The second sentence of section 312 of such Act (42 U.S.C. 244) is amended by inserting "and officials of other State or local public or private agencies, institutions, or organizations" after "such health authorities".

Advisory council, membership.
77 Stat. 169.

(c) Section 725(a) of such Act (42 U.S.C. 293e(a)) is amended by striking out "twelve" and inserting in lieu thereof "thirteen".

Personnel interchange with States.
80 Stat. 1186.
42 USC 246.

(d) Section 314(f) of such Act is amended by—

(1) inserting "for" before "the expenses of travel" in paragraph (5);

(2) striking out "Service" and inserting in lieu thereof "Department" in paragraphs (6) and (8).

81 Stat. 542.
"Training center for allied health professions."
80 Stat. 1228.
42 USC 295h-4.

(e) Section 795(1)(A)(ii) of such Act is amended to read as follows: "(ii) of education in optometric technology, dental hygiene, or curriculums as are specified by regulation, and".

Effective date.

(f) The amendment made by subsection (a) shall be effective as of November 3, 1966.

COMPREHENSIVE SURVEY

Report to Congress.

Sec. 14. The Secretary of Health, Education, and Welfare, in consultation and cooperation with other officials of the Federal Government and of the States, shall make a comprehensive survey of the incidence and location of serious hunger and malnutrition and health problems incident thereto in the United States and shall report his findings and recommendations for dealing with these conditions to the Congress within six months from the date of enactment of this section.

MEANING OF SECRETARY

Sec. 15. As used in the amendments made by this Act, the term "Secretary" means the Secretary of Health, Education, and Welfare.

10. CONVEYANCE OF CERTAIN PROPERTY TO TEMPLE JUNIOR COLLEGE

(Public Law 90–197, approved December, 14, 1967)

A. Legislative History

H.R. 2730 was introduced on January 17, 1967, by Representative W. R. Poage, of Texas. The bill was referred to the Committee on Veterans' Affairs. It was reported from that committee on February 7, 1967 (H. Rept. 7). It passed the House on February 20, 1967. It was reported in the Senate, from the Committee on Labor and Public Welfare, on November 30, 1967 (S. Rept. 822). It passed the Senate on December 1, 1967. The act was approved on December 14, 1967, and became Public Law 90–197.

B. Digest of the Act

The act authorizes the Administrator of Veterans' Affairs to convey certain land to Temple Junior College, Temple, Tex., for educational purposes.

C. Text of the Act

Following is the text of the law.

81 Stat. 582.

AN ACT Authorizing the Administrator of Veterans' Affairsto convey certain property to Temple Junior College, Temple, Texas

Temple, Tex.
Land conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is authorized to convey, without monetary consideration, to Temple Junior College, Temple, Texas, for educational purposes, all right, title and interest of the United States in and to a tract of seventy-three acres of land, more or less, constituting a portion of the reservation of the Veterans' Administration Center, Temple, Texas. The exact legal description of the tract shall be determined by the Administrator of Veterans' Affairs, and if a survey is required in order to make such determination, the Temple Junior College shall bear the expense thereof.

Conditions.

Sec. 2. Any deed of conveyance made pursuant to this Act shall—

(a) provide that the land conveyed shall be used for educational purposes and in a manner that will not, in the judgment of the Administrator of Veterans' Affairs, or his designate, interfere with the care and treatment of patients in the Veterans' Administration Center, Temple, Texas;

(b) contain such additional terms, conditions, reservations, easements and restrictions as may be determined by the Administrator of Veterans' Affairs to be necessary to protect the interest of the United States;

(c) provide that if the Temple Junior College violates any provision of the deed of conveyance or alienates or attempts to alienate all or any part of the parcel so conveyed, title thereto shall revert to the United States; and that a determination by the Administrator of Veterans' Affairs of any such viloation or alienation or attempted alienation shall be final and conclusive; and

(d) provide that in the event of such reversion, all improvements made by Temple Junior College during its occupancy shall vest in the United States without payment of compensation therefor.

11. ECONOMIC OPPORTUNITY AMENDMENTS OF 1967

(Public Law 90–222, approved December 23, 1967)

A. Legislative History

In the House, hearings on Economic Opportunity Act Amendments were held before the Committee on Education and Labor on June 12, 16, 19, 20, 21, 22, 23, 26, 28, July 10, 12, 13, 14, 17, 18, 19, 20, 21, 24, 26, 27, 28, 31, and August 1, 1967.

In the Senate, hearings on Examination of the War on Poverty were held before the Subcommittee on Employment, Manpower and Poverty, of the Committee on Labor and Public Welfare, on March 13, 15, 16, 17, April 10, 24, 27, 28, May 1, 2, 8, 9, 10, 11, 12, 17, 18, 26, June 1, 2, 22, 23, 26, 27, 28 and July 10, 13, 18, 1967.

S. 2388, the Economic Opportunity Amendments of 1967 was introduced on September 12, 1967 by Senator Joseph S. Clark, of Pennsylvania. The bill was referred to the Committee on Labor and Public Welfare. It was reported in the Senate on September 12, 1967 (S. Rept. 563). It passed the Senate October 5, 1967 and was referred to the Committee on Education and Labor on October 9, 1967. It was reported in the House on October 27, 1967 (H. Rept. 866). It passed the House, amended, on November 15, 1967, and, on the same date, the House asked for a conference. On November 16, 1967, the Senate agreed to a conference. The conference report was filed on December 7, 1967 (H. Rept. 1012). The Senate agreed to the conference report on December 8, 1967. The House agreed to the conference report on December 11, 1967. The act was approved on December 23, 1967, and became Public Law 90–222.

B. Some Press Comments

In an article headlined "Congress Clears 2-Year Antipoverty Program," the Congressional Quarterly Weekly Report of December 15, 1967, said:

> Congress Dec. 11 cleared for the President's signature a bill (S. 2388) providing a two-year authorization for the war on poverty. Passage of the bill represented a major legislative triumph for the Administration, which for a time had feared the program might be killed in the House.
>
> Final action came when the House Dec. 11 by a 247–149 roll-call vote adopted the conference report (H. Rept. 1012) on the bill. The Senate Dec. 8 adopted the conference report by a 62–16 roll-call vote. * * *
>
> As cleared by Congress, S. 2388 authorized $1,980,000,000 for antipoverty programs in fiscal 1968 and $2,180,000,000 for fiscal 1969. The figure for fiscal 1968 was only slightly less than the $2,060,000,000 authorization requested by the Administration. * * *

An article in the Christian Science Monitor for December 19, 1967, said in part:

> Ten months ago, nobody here in Washington could say for sure that the antipoverty program would be around today.
>
> * * *
>
> But the program has survived—more than that, it remains one of the few programs this year to receive more money than it got last year.
>
> While the final figure of $1.773 billion was below the budget request of $2.06 billion, it was above the last year's level of $1.6 billion. The Office of Economic Opportunity (OEO) had insisted that $1.788 billion was the very minimum needed to prevent cutbacks in programs. The final figure fell $15 million short of that.
>
> But the House-Senate Appropriations Committee conferees deleted all earmarking of funds so that it is believed that OEO will have the flexibility to make up the $15 million cutback, by borrowing from some programs to boost more important ones or even to start new ones. * * *
>
> The final victory came following months of hearings by the House and Senate, lengthy floor debates by each house, and a 21-day conference between Senate and House members to work out an acceptable compromise between the two versions of the bill * * *.[1]

An article in the Washington Post for December 24, 1967 stated that:

> President Johnson yesterday signed into law a two-year extension of the war on poverty, the White House announced.
>
> Johnson signed the bill while en route from Camranh Bay to Karachi on his globe-girdling trip.
>
> Congress authorized $1.98 billion for the current 1968 fiscal year for the war on poverty, but actually provided only $1.77 billion in spending money.

C. Digest of the Act

Public Law 90–222, as a whole, is very largely concerned with education and training. Following is a summary of the entire act with emphasis upon some of its educational and training provisions.

The act authorized $1.980 billion for fiscal 1968 to carry out programs under the Economic Opportunity Act as follows: *Title I*, $295 million for the Job Corps, *$476 million for work and training for youth and adults*, and $60 million for special impact programs in urban areas having large concentrations of low-income individuals or rural areas with substantial migration to urban centers; *title II*, $950 million for community action programs; *title III*, $47 million for migrant worker programs and loans to rural families; *title IV*, $10 million for loans, technical assistance and employment incentive programs for small business; *title V*, $70 million for work experience programs and $25 million for day-care programs; *title VI*, $16 million for administrative expenses; *title VII*, Public assistance-extension; and *title VIII*, $31 million for the VISTA program. Authorizes the appropriation of $2.180 billion for fiscal 1969, without a breakdown of the funds by program.

Title I—Job Corps: The Act requires that a finding be made of a reasonable expectation of successful participation in the Job Corps for each applicant prior to enrollment and, for applicants with a history of antisocial behavior, requires the Director to obtain a professional finding that enrollment of such applicant would not be inimical to the interests of the Job Corps. Requires, generally, that an enrollee be assigned to the center nearest his home. Provides for nonresidential centers and authorizes the establishment of civilian conservation centers to be located primarily in rural areas. Requires that 40 percent of male enrollees be assigned to such conservation centers. Provides for establishing community advisory councils to improve relations between Job Corps centers and the local community. Limits the capacity of residential centers in fiscal 1968 to 45,000 and requires that steps be taken to achieve an enrollment ratio of 50 percent women. Limits per-enrollee costs for the operation of centers to $6,900 a year. Prohibits enrollees from engaging in political activities.

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[1] Selover, William C. Rescue of antipoverty bill credited to Shriver. Christian Science Monitor, Dec. 19, 1967, p. 3.

The act consolidates work and training programs into one comprehensive program to take effect July 1, 1968. Broadens such program to include rural areas suffering a substantial migration to urban centers. Provides for encouraging employers, through incentives to employ and train unemployed or low-income individuals and encourages new programs to deal with employment of the elderly.

The act establishes special impact programs to deal with problems of chronic unemployment, dependency, and community tensions in urban areas with a high degree of low-income individuals and in rural areas suffering substantial migration to urban areas.

Title II—Community Action: The act requires community action agencies to be State, city, or country governments or that such government agencies designate a public or private nonprofit agency as the community action agency. *Requires that such agencies must have a board composed of one-third public officials, one-third representatives of business, education, labor, and so forth, interests in the community, and one-third representatives of the people to be served.* Stipulates that such agencies shall have full opportunity to participate in the development and implementation of poverty programs. Provides that the poor may petition for better representation in such agencies if inadequately represented.

The Act requires funding of programs through community action agencies as constituted above unless such public agency fails to act or fails to carry out programs in a satisfactory manner, or in the case of limited purposes projects the community action agency approves of other funding. Limits size of community action agency boards to a maximum of 51 and institutes notice and quorum requirements to assure decision-making by majority. Tightens political activity restrictions both partisan and nonpartisan and extends prohibitions to voter registration drives and voter transportation.

The Act requires that the non-Federal share of the cost shall be not less than 20 percent of the total cost (the requirement for fiscal 1967 was 10 percent and that at least one-half of the non-Federal contribution be in cash). Tightens auditing requirements for community action agencies. Adds four new national emphasis programs: (a) A senior opportunities and services program for older Americans; (b) Emergency food and medical services program; (c) "Day care"; and (d) Family planning.

Title III—To Combat Poverty in Rural Areas—The act provides for loans to low-income rural families and assistance to migrant workers.

Title IV—Employment and Investment Incentives—The act provides that special attention be given in loans to small business, to business concerns located in urban areas with a high degree of une[illegible]loyment or low-income individuals, or owned by low-inco[illegible]viduals.

Authorizes the Small Business Administration to administer a new program to provide technical assistance and managerial training for individuals in business qualified for such special attention.

Title V—Day Care Projects: The act establishes a new program of grants to establish day-care facilities, which shall provide health, education, social and other supportive services to children from low-income families, to enable parents or relatives of such children to continue vocational training, basic education, or gainful employment.

Title VI—Administration and Coordination: The act limits to 100 days the period during which a consultant may be retained by the Director on a per diem basis. Prohibits the use of any antipoverty funds for political activities, including voter registration activities. *Eliminates from eligibility for benefits under the act any persons whose lack of income is the result of his refusal, without good cause, to seek or accept employment* commensurate with his health, age, education and ability (termed the "voluntarily poor"). Prohibits community action employees from planning, aiding or participating in any unlawful demonstration, riot, or civil disturbance. Requires the Director to prepare a 5-year action plan to combat poverty nationally. Establishes an Economic Opportunity Council in the Executive Office to improve coordination.

Title VII—Public Assistance: The act extends the public assistance programs of Economic Opportunity.

Title VIII—VISTA: The act provides that VISTA volunteers may be assigned in their own or nearby communities. Provides for participation by older persons in the VISTA program. Establishes a demonstration project for the rehabilitation of youth offenders using the services of VISTA volunteers. Prohibits the use of VISTA funds for labor or anti-labor activities, and provides for the termination of the VISTA program within a State within 30 days of a request for termination by the Governor. Directs the Comptroller General to investigate all antipoverty programs and report to Congress by December 1, 1968.

D. Text of the Act

Following is the text of certain provisions of Public Law 90–222 particularly education and training.

81 Stat. 672.

AN ACT To provide an improved Economic Opportunity Act, to authorize funds for the continued operation of economic opportunity programs, and for other purposes

Economic Opportunity Amendments of 1967.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Economic Opportunity Amendments of 1967".

* * * * *

TITLE I—AMENDMENTS TO THE ECONOMIC OPPORTUNITY ACT

JOB CORPS AMENDMENTS

78 Stat. 508.
42 USC 2711-2722.

Sec. 101. Part A of title I of the Economic Opportunity Act of 1964 is amended to read as follows:

"PART A—JOB CORPS

"STATEMENT OF PURPOSE

"SEC. 101. This part establishes a Job Corps for low-income disadvantaged young men and women, sets forth standards and procedures for selecting individuals as enrollees in the Job Corps, authorizes the establishment of residential and/or nonresidential centers in which enrollees will participate in intensive programs of education, vocational training, work experience, counseling, and other activities, and prescribes various other powers, duties, and responsibilities incident to the operation and continuing development of the Job Corps. Its purpose is to assist young persons who need and can benefit from an unusually intensive program, operated in a group setting, to become more responsible, employable, and productive citizens; and to do so in a way that contributes, where feasible, to the development of National, State, and community resources, and to the development and dissemination of techniques for working with the disadvantaged that can be widely utilized by public and private institutions and agencies.

"ESTABLISHMENT OF THE JOB CORPS

"SEC. 102. There is hereby established within the Office of Economic Opportunity a 'Job Corps'.

"INDIVIDUALS ELIGIBLE FOR THE JOB CORPS

81 Stat. 673.

"SEC. 103. To become an enrollee in the Job Corps, a young man or woman must be a person who—

"(1) is a permanent resident of the United States who has attained age fourteen but not attained age twenty-two at the time of enrollment;

"(2) is a low-income individual or member of a low-income family who requires additional education, training, or intensive counseling and related assistance in order to secure and hold meaningful employment, participate successfully in regular schoolwork, qualify for other training programs suitable to his needs, or satisfy Armed Forces requirements;

"(3) is currently living in an environment so characterized by cultural deprivation, a disruptive homelife, or other disorienting conditions as to substantially impair his prospects for successful participation in any other program providing needed training, education, or assistance;

"(4) is determined, after careful screening as provided for in sections 104 and 105, to have the present capabilities and aspirations needed to complete and secure the full benefit of the program authorized in this part, and to be free of medical and behavioral problems so serious that he could not or would not be able to adjust to the standards of conduct and discipline or pattern of work and training which that program involves; and

"(5) meets such other standards for enrollment as the Director may prescribe (including special standards for the enrollment on a residential basis of 14 and 15 year olds) and agrees to comply with all applicable Job Corps rules and regulations.

"SCREENING AND SELECTION OF APPLICANTS—GENERAL PROVISIONS

"SEC. 104. (a) The Director shall prescribe necessary rules for the screening and selection of applicants for enrollment in the Job Corps. To the extent practicable, these rules shall be implemented through arrangements which make use of agencies and organizations such as community action agencies, public employment offices, professional groups, and labor organizations. The rules shall establish specific standards and procedures for conducting screening and selection activities; shall encourage recruitment through agencies and individuals having contact with youths over substantial periods of time and able, accordingly, to offer reliable information as to their needs and problems; and shall provide for necessary consultation with other individuals and organizations, including court, probation, parole, law enforcement, education, welfare, and medical authorities and advisers. They shall also provide for—

"(1) the interviewing of each applicant for the purpose of—

"(A) determining whether his educational and vocational needs can best be met through the Job Corps or any alternative program in his home community;

"(B) obtaining from the applicant pertinent data relating to his background, needs, and interests for evaluation in determining his eligibility and potential assignment; and

81 Stat. 674.

"(C) giving the applicant a full understanding of the Job Corps program and making clear what will be expected of him as an enrollee in the event of his acceptance.

"(2) the conduct of a careful and systematic inquiry concerning the applicant's background for the effective development and, as appropriate, clarification of information concerning his age, citizenship, school and draft status, health, employability, past behavior, family income, environment, and other matters related to a determination of his eligibility.

"(b) The Director shall make no payments to any individual or organization solely as compensation for the service of referring the names of candidates for enrollment in the Job Corps.

"(c) The Director shall take all necessary steps to assure that the enrollment of the Job Corps includes an appropriate number of candidates selected from rural areas, taking into account the proportion of eligible youth who reside in rural areas and the need to provide residential facilities for such youth in order to meet problems of wide geographic dispersion.

"SCREENING AND SELECTION—SPECIAL LIMITATIONS

"SEC. 105. (a) No individual shall be selected as an enrollee unless it is determined that there is reasonable expectation that he can participate successfully in group situations and activities with other enrollees, that he is not likely to engage in actions or behavior that would prevent other enrollees from receiving the benefit of the program or be incompatible with the maintenance of sound discipline and satisfactory relationships between any center to which he might be assigned and surrounding communities, and that he manifests a basic understanding of both the rules to which he will be subject and of the consequences of failure to observe those rules. Before selecting an individual who has a history of serious and violent behavior against persons or property, repetitive delinquent acts, narcotics addiction, or other major behavioral aberrations, the Director shall obtain a finding from a professionally qualified person who knows such potential enrollee's individual situation that there is reasonable expectation that his conduct will not be inimical to the goals and success of the Job Corps and that the opportunity provided by the Job Corps will help him to overcome his problem.

"(b) An individual who otherwise qualifies for enrollment may be selected even though he is on probation or parole, but only if his release from the immediate supervision of the cognizant probation or parole officials is mutually satisfactory to those officials and the Director and does not violate applicable laws or regulations, and if the Director has arranged to provide all supervision of the individual and all reports to State or other authorities that may be necessary to comply with applicable probation or parole requirements.

"ENROLLMENT AND ASSIGNMENT

"SEC. 106. (a) No individual may be enrolled in the Job Corps for more than two years, except as the Director may authorize in special cases.

"(b) Enrollment in the Job Corps shall not relieve any individual of obligations under the Universal Military Training and Service Act (50 U.S.C. App. 451 et seq.).

65 Stat. 75.
Ante, p. 100.
81 Stat. 675.
Loyalty oath.
Post, p. 716.

"(c) Each enrollee (other than a native and citizen of Cuba described in section 609(3) of this Act or a permanent resident of the Trust Territory of the Pacific Islands) must take and subscribe to an oath or affirmation in the following form: 'I do solemnly swear (or affirm) that I bear true faith and allegiance to the United States of America and will support and defend the Constitution and laws of the United States against all its enemies foreign and domestic.' The provisions of section 1001 of title 18, United States Code, shall be applicable to this oath or affirmation.

62 Stat. 749.

"(d) After the Director has determined whether an enrollee is to be assigned to a men's training center, a conservation center, or a women's training center, the center to which he shall be assigned shall be that center of the appropriate type in which a vacancy exists which is closest to the enrollee's home, except that the Director, on an individual basis, may waive this requirement when overriding considerations justify such action. Assignments to centers in areas more remote from the enrollee's home shall be carefully limited to situations in which such action is necessary in order to insure an equitable opportunity for disadvantaged youth from various sections of the country to participate in the program, to prevent undue delays in the assignment of individual enrollees, to provide an assignment which adequately meets the educational or other needs of the enrollee or is necessary for efficiency and economy in the operation of the program.

"(e) Assignments of male enrollees shall be made so that, at any one time, at least 40 per centum of those enrollees are assigned to conservation centers, as described in section 107, or to other centers or projects where their work activity is primarily directed to the conservation, development, or management of public natural resources or recreational areas and is performed under the direction of personnel of agencies regularly responsible for those functions.

"JOB CORPS CENTERS

"SEC. 107. (a) The Director may make agreements with Federal, State, or local agencies, or private organizations for the establishment and operation of Job Corps centers. These centers may be residential and/or nonresidential in character and shall be designed and operated so as to provide enrollees, in a well-supervised setting, with education, vocational training, work experience (either in direct program activities or through arrangements with employers), counseling, and other services appropriate to their needs. The centers shall include conservation centers, to be known as Civilian Conservation Centers, to be located primarily in rural areas and to provide, in addition to other training and assistance, programs of work experience focused upon activities to conserve, develop, or manage public natural resources or public recreational areas or to assist in developing community projects in the public interest. They shall also include men's and women's training centers to be located in either urban or rural areas and to provide activities which shall include training and other services appropriate for enrollees who can be expected to participate successfully in training for specific types of skilled or semiskilled employment.

Civilian Conservation Centers.

"(b) To the extent feasible, men's and women's training centers shall offer education and vocational training opportunities, together with supportive services, on a nonresidential basis to participants in programs described in part B of this title. Such opportunities may be offered on a reimbursable basis or through such other arrangements as the Director may specify.

Post, p. 683.

"PROGRAM ACTIVITIES

81 Stat. 676.

"Sec. 108. (a) Each Job Corps center shall be operated so as to provide enrollees with an intensive, well-organized and fully supervised program of education, vocational training, work experience, planned avocational and recreational activities, physical rehabilitation and development, and counseling. To the fullest extent feasible, the required program for each enrollee shall include activities designed to assist him in choosing realistic career goals, coping with problems he may encounter in his home community or in adjusting to a new community, and planning and managing his daily affairs in a manner that will best contribute to long-term upward mobility. Center programs shall include required participation in center maintenance support and related work activity as appropriate to assist enrollees in increasing their sense of contribution, responsibility, and discipline.

Enrollee education and vocational training.

"(b) To the extent practicable, the Director may arrange for enrollee education and vocational training through local public or private educational agencies, vocational educational institutions, or technical institutes where these institutions or institutes can provide training comparable in cost and substantially equivalent in quality to that which he could provide through other means.

High school equivalency certificates.

"(c) Arrangements for education shall, to the extent feasible, provide opportunities for qualified enrollees to obtain the equivalent of a certificate of graduation from high school; and the Director, with the concurrence of the Secretary of Health, Education, and Welfare, shall develop certificates to be issued to enrollees who have satisfactorily completed their services in the Job Corps and which will reflect the enrollee's level of educational attainment.

"(d) The Director shall prescribe regulations to assure that Job Corps work-experience programs or activities do not displace presently employed workers or impair existing contracts for service and will be coordinated with other work-experience programs in the community.

"ALLOWANCE AND SUPPORT

"Sec. 109. (a) The Director may provide enrollees with such personal, travel, and leave allowances, and such quarters, subsistence, transportation, equipment, clothing, recreational services, and other expenses as he may deem necessary or appropriate to their needs. Personal allowances shall be established at a rate not to exceed $35 per month during the first six months of an enrollee's participation in the program and not to exceed $50 per month thereafter, except that allowances in excess of $35 per month, but not exceeding $50 per month, may be provided from the beginning of an enrollee's participation if it is expected to be of less than six months' duration, and the Director is authorized to pay personal allowances in excess of the rates specified herein in unusual circumstances as determined by him. Such allowances shall be graduated up to the maximum so as to encourage continued participation in the program, achievement and the best use by the enrollee of the funds so provided and shall be subject to reduction in appropriate cases as a disciplinary measure. To the degree reasonable, enrollees shall be required to meet or contribute to costs associated with their individual comfort and enjoyment from their personal allowances.

"(b) The Director shall prescribe specific rules governing the accrual of leave by enrollees. Except in the case of emergency, he shall in no event assume transportation costs connected with leave of any enrollee who has not completed at least six months service in the Job Corps.

81 Stat. 677.

Termination of enrollment. Readjustment allowance.

"(c) The Director may provide each former enrollee, upon termination, a readjustment allowance at a rate not to exceed $50 for each month of satisfactory participation in the Job Corps. No enrollee shall be entitled to a readjustment allowance, however, unless he has remained in the program at least ninety days, except in unusual circumstances as determined by the Director. The Director may, from time to time, advance to or on behalf of an enrollee such portions of his readjustment allowance as the Director deems necessary to meet extraordinary financial obligations incurred by that enrollee; and he may also, pursuant to rules or regulations, reduce the amount of an enrollee's readjustment allowance as a penalty for misconduct during participation in the Job Corps. In the event of an enrollee's death during his period of service, the amount of any unpaid readjustment allowance shall be paid in accordance with the provisions of section 5582 of title 5, United States Code.

80 Stat. 495.

"(d) Under such circumstances as the Director may determine, a portion of the readjustment allowance of an enrollee not exceeding $25 for each month of satisfactory service may be paid during the period of service of the enrollee directly to a spouse or child of an enrollee or to any other relative who draws substantial support from the enrollee, and any sum so paid shall be supplemented by the payment of an equal amount by the Director.

"STANDARDS OF CONDUCT

"SEC. 110. (a) Within Job Corps centers, standards of conduct and deportment shall be provided and stringently enforced. In the case of violations committed by enrollees, dismissals from the Corps or transfers to other locations shall be made in every instance where it is determined that retention in the Corps, or in the particular Job Corps center, will jeopardize the enforcement of such standards of conduct and deportment or diminish the opportunity of other enrollees.

"(b) In order to promote the proper moral and disciplinary conditions in the Job Corps, the individual directors of Job Corps centers shall be given full authority to take appropriate disciplinary measures against enrollees including, but not limited to, dismissal from the Job Corps, subject to expeditious appeal procedures to higher authority, as provided under regulations set by the Director.

"COMMUNITY PARTICIPATION

"SEC. 111. The Director shall encourage and shall cooperate in activities designed to establish a mutually beneficial relationship between Job Corps centers and surrounding or nearby communities. These activities shall include the establishment of community advisory councils to provide a mechanism for joint discussion of common problems and for planning programs of mutual interest. Whenever possible, such advisory councils shall be formed by and coordinated under the local community action agency. Youth participation in advisory council affairs shall be encouraged and where feasible separate youth councils may be established, to be composed of representative enrollees and representative young people from the communities. The Director shall establish necessary rules and take necessary action to assure that each center is operated in a manner consistent with this section with a view to achieving, so far as possible, objectives which shall include: (1) giving community officials appropriate advance notice of changes in center rules, procedures, or activities that may affect or be of interest to the community; (2) affording the community a meaningful voice in center affairs of direct concern to it, including policies governing the issuance and terms of passes to enrollees; (3) providing center officials with full and rapid access to relevant community groups and agencies, including law enforcement agencies and agencies which work with young people in the community; (4) encouraging the fullest practicable participation of enrollees in programs or projects for community improvement or betterment, with adequate advance consultation with business, labor, professional, and other interested community groups and organizations; (5) arranging recreational, athletic, or similar events in which enrollees and local residents may participate together; (6) providing community residents with opportunities to work with enrollees directly, as part-time instructors, tutors, or advisers, either in the center or in the community; (7) developing, where feasible, job or career opportunities for enrollees in the community; and (8) promoting interchanges of information and techniques among, and cooperative projects involving, the center and community schools, educational institutions, and agencies serving young people.

Community advisory councils.

81 Stat. 678.

"COUNSELING AND JOB PLACEMENT

"SEC. 112. (a) The Director shall provide for the counseling and testing of each enrollee at regular intervals to follow his progress in educational and vocational programs.

"(b) The Director shall counsel and test each enrollee prior to his scheduled termination to determine his capabilities and shall seek to place him in a job in the vocation for which he is trained and in which he is likely to succeed, or shall assist him in attaining further training or education. In placing enrollees in jobs, the Director shall utilize the United States Employment Service to the fullest extent possible.

"(c) The Secretary of Labor shall make arrangements to determine the status and progress of terminees and to assure that their needs for further education, training, and counseling may be met.

Records. "(d) Upon termination of an enrollee's training, a copy of his pertinent records, including data derived from his counseling and testing, other than confidential information, shall be made available immediately to the Department of Labor and the Office of Economic Opportunity.

Post, p. 720. "(e) The Director shall, to the extent feasible in accordance with section 637(b) of this Act, arrange for the readjustment allowance provided for in section 109(c) of this Act, less any sums already paid pursuant to subsection (d) of that section, to be paid to former enrollees (who have not already found employment) at the public employment service office nearest the home of any such former enrollee, if he is returning to his home, or at the nearest such office to the community in which the former enrollee has indicated an intent to reside. Records. The Secretary of Labor shall make arrangements by which public employment service officers will maintain records regarding former enrollees who are thus paid at such offices including information as to—

"(1) the number of former enrollees who have declined the offices' help in finding a job;

"(2) the number who were successfully placed in jobs without further education or training;

"(3) the number who were found to require further training before being placed in jobs and the types of training programs in which they participated; and

"(4) the number who were found to require further remedial or basic education in order to qualify for training programs, together with information as to the types of programs for which such former enrollees were found unqualified for enrollment.

81 Stat. 679.

If the Director deems it advisable to utilize the services of any other public or private organization or agency in lieu of the public employment office, he shall arrange for that organization or agency to make the payment of the readjustment allowance and maintain the same types of records regarding former enrollees as are herein specified for maintenance by public employment service offices, and shall furnish copies of such records to the Secretary of Labor. In the case of enrollees who are placed in jobs by the Director prior to the termination of their participation in the Job Corps, the Director shall maintain records providing pertinent placement and follow-up information.

"EVALUATION; EXPERIMENTAL AND DEVELOPMENTAL PROJECTS

"SEC. 113. (a) The Director shall provide for the careful and systematic evaluation of the Job Corps program, directly or by contracting for independent evaluations, with a view to measuring specific benefits, so far as practicable, and providing information needed to assess the effectiveness of program procedures, policies, and methods of operation. In particular, this evaluation shall seek to determine the costs and benefits resulting from the use of residential as opposed to nonresidential facilities, from the use of facilities combining residential and nonresidential components, from the use of centers with large as opposed to small enrollments, and from the use of different types of program sponsors, including public agencies, institutions of higher education, boards of education, and private corporations. The evaluation shall also include comparisons with proper control groups composed of persons who have not participated in the program. In carrying out such evaluations, the Director shall arrange for obtaining the opinions of participants about the strengths and weaknesses of the program and shall consult with other agencies and officials in order to compare the relative effectiveness of Job Corps techniques with those used in other programs, and shall endeavor to secure, through employers, schools, or other Government and private agencies specific information concerning the residence of former enrollees, their employment status, compensation, and success in adjusting to community life. He shall also secure, to the extent feasible, similar information directly from enrollees at appropriate intervals following their completion of the Job Corps program. The results of such evaluation shall be published and shall be summarized in the report required by section 608. 78 Stat. 532.

42 USC 2948. Research project grants.

"(b) The Director may undertake or make grants or contracts for experimental, research, or demonstration projects directed to developing or testing ways of securing the better use of facilities, of encouraging a more rapid adjustment of enrollees to community life that will permit a reduction in the period of their enrollment, of reducing transportation and support costs, or of otherwise promoting greater efficiency and effectiveness in the program authorized under this part. These projects shall include one or more projects providing youths with education, training, and other supportive services on a combined residential and nonresidential basis. The Director may, if he deems it advisable, undertake one or more pilot projects designed to involve youth who have a history of serious and violent behavior against persons or property, repetitive delinquent acts, narcotics addiction, or other behavioral aberrations. Projects under this subsection shall be developed after appropriate consultation with other Federal or State agencies conducting similar or related programs or projects and with the prime sponsors, as described in part B of this title, in the communities where the projects will be carried out. They may be undertaken jointly with other Federal or federally assisted programs, including programs under part B of this title, and funds otherwise available for activities under those programs shall, with the consent of the head of any agency concerned, be available to projects under this section to the extent they include the same or substantially similar activities. The Director may waive any provision of this title which he finds would prevent the carrying out of elements of projects under this subsection essential to a determination of their feasibility and usefulness. He shall, either in the report

Post, p. 683.

81 Stat. 680.

Report to Congress.
78 Stat. 532.
42 USC 2948.

required by section 608 or a separate annual document, report to the Congress concerning the actions taken under this section, including a full description of progress made in connection with combined residential and nonresidential projects.

"(c) In order to determine whether upgraded vocational education schools could eliminate or substantially reduce the school dropout problem, and to demonstrate how communities could make maximum utilization of existing educational and and training facilities, the Director, in cooperation with the Commissioner of Education, shall enter into one or more agreements with State educational agencies to pay the cost of establishing and operating model community vocational education schools and skill centers. Such facilities shall be centrally located in an urban area having a high dropout rate, a large number of unemployed youths, and a need in the area for a combination vocational school and skill center. No such agreement shall be entered into unless it contains provisions designed to assure that—

"(1) a job survey be made of the area;

"(2) the training program of the school and skill center reflect the job market needs as projected by the survey;

"(3) an advisory committee composed of representatives of business, labor, education, and community leaders be formed to follow the center's activities and to make periodic recommendations regarding its operation;

"(4) arrangements have been worked out with schools in the area and the administrator of the skill center for maximum utilization of the center both during and after school hours; and

"(5) such accounting and evaluation procedures as the Director and the Commissioner of Education deem necessary to carry out the purpose of this project will be provided.

* * * * *

81 Stat. 682.

"SPECIAL LIMITATIONS

"SEC. 117. (a) The Director shall not use any funds made available to carry out this part for the fiscal year ending June 30, 1968, in a manner that will increase the residential capacity of Job Corps centers above forty-five thousand enrollees.

"(b) The Director shall take necessary action to assure that on or before June 30, 1968, of the total number of Job Corps enrollees receiving training, at least 25 per centum shall be women. The Director shall immediately take steps to achieve an enrollment ratio of 50 per centum women enrollees in training in the Job Corps consistent with (1) efficiency and economy in the operation of the program, (2) sound administrative practice, and (3) the socioeconomic, educational, and training needs of the population to be served.

Operating costs, limitation.

"(c) The Director shall take necessary action to assure that for any fiscal year the direct operating costs of Job Corps centers which have been in operation for more than nine months do not exceed $6,900 per enrollee.

Studies.
Property of the United States.

"(d) The Director shall take necessary action to assure that all studies, evaluations, proposals, and data produced or developed with Federal funds in the course of the operation of any conservation or training center shall become the property of the United States.

* * * * *

81 Stat. 683.

"Part B—Work and Training for Youth and Adults

"STATEMENT OF PURPOSE

"Sec. 120. The purpose of this part is to provide useful work and training opportunities, together with related services and assistance, that will assist low-income youths to continue or resume their education, and to help unemployed or low-income persons, both young and adult, to obtain and hold regular competitive employment, with maximum opportunities for local initiative in developing programs which respond to local needs and problems, and with emphasis upon a comprehensive approach which includes programs using both public and private resources to overcome the complex problems of the most severely disadvantaged in urban and rural areas having high concentrations or proportions of unemployment, underemployment, and low income.

"COMMUNITY PROGRAM AREAS AND COMPREHENSIVE WORK AND TRAINING PROGRAMS

"Sec. 121. (a) The Director shall designate or recognize community program areas for the purpose of planning and conducting comprehensive community work and training programs.

"(b) For the purpose of this part, a community may be a city, county, multicity, or multicounty unit, an Indian reservation, or a neighborhood or other area (irrespective of boundaries or political subdivisions) which provides a suitable organizational base and possesses the commonality of interest needed for a comprehensive work and training program. The Director shall consult with the heads of other Federal agencies responsible for programs relating to community action, manpower services, physical and economic development, housing, education, health, and other community services to encourage the establishment of coterminous or complementary boundaries for planning purposes among those programs and comprehensive work and training programs assisted under this part.

"(c) A comprehensive work and training program must seek to provide participants an unbroken sequence of services which will enable them to obtain and hold employment. It shall provide a systematic approach to planning and implementation including the linkage of relevant component programs authorized by this Act with one another and with other appropriate public and private programs and activities. It shall also provide for evaluation.

"PRIME SPONSORS AND DELEGATE AGENCIES

"SEC. 122. (a) For each community program area, the Director shall recognize a public or private nonprofit agency which shall serve as the prime sponsor to receive funds under section 123 (except as otherwise provided in section 123(c)). This agency must be capable of planning, administering, coordinating, and evaluating a comprehensive work and training program.

"(b) The prime sponsor shall provide for participation of employers and labor organizations in the planning and conduct of the comprehensive work and training programs.

81 Stat. 684

"(c) The prime sponsor shall be encouraged to make use of public and private organizations as delegate agencies to carry out components of the comprehensive work and training program, including without limitation agencies governed with the participation of the poor and other residents of the neighborhoods or rural areas served, educational institutions, the public employment service, the public welfare agency, other health and welfare agencies, private training institutions, and other capable public and private organizations.

"(d) The prime sponsor and delegate agencies shall provide for participation of residents of the area and members of the groups served in the planning, conduct, and evaluation of the comprehensive work and training program and its components. Such persons shall be provided maximum employment opportunity in the conduct of component programs, including opportunity for further occupational training and career advancement.

"(e) The Director shall prescribe regulations to assure that programs under this part have adequate internal administrative controls, accounting requirements, personnel standards, evaluation procedures, and other policies as may be necessary to promote the effective use of funds.

"ELIGIBLE ACTIVITIES

Work and training programs.

"SEC. 123. (a) The Director may provide financial assistance in urban and rural areas for comprehensive work and training programs or components of such programs, including the following:

"(1) programs to provide part-time employment, on-the-job training, and useful work experience for students from low-income families who are in the ninth through twelfth grades of school (or are of an age equivalent to that of students in such grades) and who are in need of the earnings to permit them to resume or maintain attendance in school;

"(2) programs to provide unemployed, underemployed, or low-income persons (aged sixteen and over) with useful work and training (which must include sufficient basic education and institutional or on-the-job training) designed to assist those persons to develop their maximum occupational potential and to obtain regular competitive employment;

"(3) special programs which involve work activities directed to the needs of those chronically unemployed poor who have poor employment prospects and are unable, because of age, lack of employment opportunity, or otherwise, to secure appropriate employment or training assistance under other programs, and which, in addition to other services provided, will enable such persons to participate in projects for the betterment or beautification of the community or area served by the program, including without limitation activities which will contribute to the management, conservation, or development of natural resources, recreational areas, Federal, State, and local government parks, highways, and other lands;

"(4) special programs which provide unemployed or low-income persons with jobs leading to career opportunities, including new types of careers, in programs designed to improve the physical, social, economic, or cultural condition of the community or area served in fields including without limitation health, education, welfare, neighborhood redevelopment, and public safety, which provide maximum prospects for advancement and continued employment without Federal assistance, which give promise of contributing to the broader adoption of new methods of structuring jobs and new methods of providing job ladder opportunities, and which provide opportunities for further occupational training to facilitate career advancement;

Concentrated employment program.
81 Stat. 685.

"(5) special programs which concentrate work and training resources in urban and rural areas having large concentrations or proportions of low-income, unemployed persons, and within those rural areas having substantial outmigration to urban areas, which are appropriately focused to assure that work and training opportunities are extended to the most severely disadvantaged persons who can reasonably be expected to benefit from such opportunities, and which are supported by specific commitments of cooperation from private and public employers;

"(6) supportive and follow-up services to supplement work and training programs under this or other Acts including health services, counseling, day care for children, transportation assistance, and other special services necessary to assist individuals to achieve success in work and training programs and in employment;

"(7) employment centers and mobile employment service units to provide recruitment, counseling, and placement services, conveniently located in urban neighborhoods and rural areas and easily accessible to the most disadvantaged;

"(8) programs to provide incentives to private employers, other than nonprofit organizations, to train or employ unemployed or low-income persons, including arrangements by direct contract, reimbursements to employers for a limited period when an employee might not be fully pro-

Minimum wages.

52 Stat. 1062;
80 Stat. 838-841.
29 USC 206.
75 Stat. 71.
29 USC 213.

ductive, payment for on-the-job counseling and other supportive services, payment of all or part of employer costs of sending recruiters into urban and rural areas of high concentrations or proportions of unemployed or low-income persons, and payments to permit employers to provide employees resident in such areas with transportation to and from work or to reimburse such employees for such transportation: *Provided*, That in making such reimbursements to employers the Director shall assure that the wages paid any employee shall not be less than the minimum wage which would be applicable to employment under the Fair Labor Standards Act of 1938 if section 6 of such Act applied to the employee and he was not exempt under section 13 thereof; and

"(9) means of planning, administering, coordinating, and evaluating a comprehensive work and training program.

80 Stat. 1466.
42 USC 2922.
80 Stat. 1475.
42 USC 2610c.

"(b) Commencing July 1, 1968, all work and training component programs conducted in a community under this section shall be consolidated into the comprehensive work and training program and financial assistance for such components shall be provided to the prime sponsor unless the Director determines there is a good cause for providing an extension of time, except as otherwise provided by subsection (c). After that date, the work and training components of programs authorized by section 502 of this Act and by section 261 of part E of title II of the Manpower Development and Training Act of 1962 shall to the maximum extent feasible be linked to the comprehensive work and training program, including funding through the prime sponsor where appropriate.

"(c) The Director may provide financial assistance to a public agency or private organization other than a prime sponsor to carry out one or more component programs described in subsection (a) when he determines, after soliciting and considering comments of the prime sponsor, if any, that such assistance would enhance program effectiveness or acceptance on the part of persons served and would serve the purposes of this part. In the case of programs under subsection (a)(1) of this section, financial assistance may be provided directly to local or State educational agencies pursuant to agreements between the Director and the Secretary of Labor providing for the operation of such programs under direct grants or contracts.

81 Stat. 686.

"SPECIAL CONDITIONS

"SEC. 124. (a) The Director shall not provide financial assistance for any program under this part unless he determines, in accordance with such regulations as he may prescribe, that—

"(1) no participant will be employed on projects involving political parties, or the construction, operation, or maintenance of so much of any facility as is used or to be used for sectarian instruction or as a place for religious worship;

"(2) the program will not result in the displacement of employed workers or impair existing contracts for services, or result in the substitution of Federal for other funds in connection with work that would otherwise be performed;

"(3) the rates of pay for time spent in work-training and education, and other conditions of employment, will be appropriate and reasonable in the light of such factors as the type of work, geographical region, and proficiency of the participant; and

"(4) the program will, to the maximum extent feasible, contribute to the occupational development or upward mobility of individual participants.

"(b) The Director shall terminate financial assistance for any program under this part in any case in which he determines that any person charged, in whole or part, with the responsibility for the administration of the program is a member of the Communist Party.

"(c) For programs which provide work and training related to physical improvements, preference shall be given to those improvements which will be substantially used by low-income persons and families or which will contribute substantially to amenities or facilities in urban or rural areas having high concentrations or proportions of low-income persons and families.

"(d) Programs approved under this part shall, to the maximum extent feasible, contribute to the elimination of artificial barriers to employment and occupational advancement.

"(e) Projects under this part shall provide for maximum feasible use of resources under other Federal programs for work and training and the resources of the private sector.

"PROGRAM PARTICIPANTS

Low income. Criteria.

"SEC. 125. (a) Participants in programs under this part must be unemployed or low-income persons. The Director, in consultation with the Social Security Administrator, shall establish criteria for low income, taking into consideration family size, urban-rural and farm-nonfarm differences, and other relevant factors. Any individual shall be deemed to be from a low-income family if the family receives cash welfare payments.

"(b) Participants must be permanent residents of the United States or of the Trust Territory of the Pacific Islands.

Federal employment laws, nonapplicability.

"(c) Participants shall not be deemed Federal employees and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of Compensation, leave, unemployment compensation, and Federal employment benefits.

"ELDERLY

"SEC. 126. The Director shall provide that programs under this part shall be designed to deal with the incidence of long-term unemployment among persons fifty-five years and older. In the conduct of such programs, the Director shall encourage the employment of such persons as regular, part-time, and short-term staff in component programs.

18 Stat. 687.

"PILOT PROJECTS

"SEC. 127. (a) The Director may provide financial assistance to public or private organizations for pilot projects which are designed to develop new approaches to further the objectives of this part. Such projects may be conducted by public agencies or private organizations.

"(b) The Director shall undertake pilot projects designed to encourage the maximum participation of private employers, other than nonprofit organizations, in work and training programs under this part.

"(c) Before the Director may approve a pilot project, he shall solicit and consider comments on such project from the prime sponsor, if any, in the community where the project will be undertaken.

"TECHNICAL ASSISTANCE AND TRAINING

"SEC. 128. The Director may provide (directly or through contracts or other appropriate arrangements) technical assistance to assist in the initiation or effective operation of programs under this part. He may also make arrangements for the training of instructors and other personnel needed to carry out work and training programs under this part and part D of this title. He shall give special consideration to the problems of rural areas.

Post, p. 688.

"ROLE OF THE STATES

"SEC. 129. The Director may provide financial assistance to appropriate State agencies to—

"(1) provide technical assistance and training, as authorized by section 128, with particular emphasis upon service to rural areas and for this purpose preference shall be given to the State agency which administers programs assisted by section 231;

Post, p. 703.

"(2) assist in coordinating State activities related to this part;

"(3) operate work and training programs in communities which have not yet established an acceptable prime sponsor; and

"(4) provide work and training opportunities on State projects and in State agencies: *Provided*, That these opportunities shall be made available to participants in community work and training programs.

"EQUITABLE DISTRIBUTION OF ASSISTANCE

"SEC. 130. Of the sums appropriated or allocated for any fiscal year for programs authorized under this title, the Director shall reserve not to exceed 20 per centum for the purpose of carrying out section 123(a)(5); but not more than 12½ per centum of the funds so reserved for any fiscal year shall be used within any one State. With respect to the remaining funds appropriated or allocated to carry out the provisions of section 123, the Director shall establish criteria designed to achieve an equitable distribution of assistance among the States. In developing those criteria, he shall consider, among other relevant factors, the ratios of population unemployment, and family income levels.

"LIMITATIONS ON FEDERAL ASSISTANCE

"Sec. 131. Federal financial assistance to any program or activity carried out pursuant to section 123 of this part shall not exceed 90 per centum of the cost of such program or activity, including costs of administration. The Director may, however, approve assistance in excess of that percentage if he determines, pursuant to regulations establishing objective criteria for such determinations, that this is necessary in furtherance of the purposes of this part. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, and services. If in any fiscal year, a community provides non-Federal contributions under this part exceeding its requirements under this section, such excess may be used to meet its requirements for such contributions under section 225(c).

81 Stat. 688.

Post, p. 702.

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SPECIAL IMPACT PROGRAMS

Sec. 103. Part D of title I of the Economic Opportunity Act of 1964 is amended to read as follows:

80 Stat. 1455.
42 USC 2761-2762.

"Part D—Special Impact Programs

"STATEMENT OF PURPOSE

"Sec. 150. The purpose of this part is to establish special programs which (1) are directed to the solution of the critical problems existing in particular communities or neighborhoods (defined without regard to political or other subdivisions or boundaries) within those urban areas having especially large concentrations of low-income persons, and within those rural areas having substantial out-migration to eligible urban areas, and (2) are of sufficient size and scope to have an appreciable impact in such communities and neighborhoods in arresting tendencies toward dependency, chronic unemployment, and rising community tensions.

"ESTABLISHMENT OF PROGRAMS

"Sec. 151. The Director is authorized to provide financial assistance to public agencies or private organizations for the payment of all or part of the costs of programs which are designed to carry out the purposes of this part. Such programs shall be restricted in number so that each is of sufficient size and scope to have an appreciable impact on the area served. Such programs may include—

"(1) economic and business development programs, including programs which provide financial and other incen-

81 Stan. 689.

80 Stat. 1465;
Post, p.
42 USC 2901 *et seq.*

tives to business to locate in or near the areas served so as to provide employment opportunities for residents of those areas, and programs such as those described in title IV of this Act for small businesses in or owned by residents of such areas;

"(2) community development activities which create new training and employment opportunities and which contribute to an improved living environment; and

Ante, p. 683.

"(3) manpower training programs for unemployed or low-income persons which support and complement economic, business, and community development programs, including without limitation activities such as those described in part B of this title.

"REQUIREMENTS FOR FINANCIAL ASSISTANCE

"SEC. 152 (a) The Director shall not provide financial assistance for any program or component project under this part unless he determines that—

"(1) all projects and related facilities will, to the maximum feasible extent, be located in the area served;

"(2) projects will, where feasible, promote the development of entrepreneurial and management skills and the ownership or participation in ownership of assisted businesses by residents of the area served;

"(3) projects will be planned and carried out with the maximum participation of local businessmen by their inclusion on program boards of directors, advisory councils, or through other appropriate means;

80 Stat. 1255.
42 USC 3301 note.

"(4) the program will be appropriately coordinated with local planning under this Act, the Demonstration Cities and Metropolitan Development Act of 1966, and with other relevant plans for physical and human resources of the areas served;

Ante, pp. 684, 686.

"(5) the requirements of subsections 122(e) and 124(a) of this Act have been met;

"(6) preference will be given to the residents of the areas served in filling jobs and training opportunities; and

"(7) training programs financed under this part shall be designed wherever feasible to provide those persons who successfully complete such training with skills which are also in demand in communities or neighborhoods other than those for which programs are established under this part.

"(b) Financial assistance under this section shall not be extended to assist in the relocation of establishments from one colation to another if such relocation would result in an increase in unemployment in the area of original location.

"(c) The level of financial assistance for related purposes under this Act to the area served by a special impact program shall not be diminished in order to substitute funds authorized by this part.

Limitation.

"(d) Of the sums appropriated or allocated for any fiscal year for programs authorized under this title, the Director shall reserve not less than 7 per centum for the purpose of carrying out this part.

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COMMUNITY ACTION AMENDMENTS

Sec. 104. Title II of the Economic Opportunity Act of 1964 is amended to read as follows:

78 Stat. 516.
42 USC 2781 *et seq.*

"TITLE II—URBAN AND RURAL COMMUNITY ACTION PROGRAMS

"STATEMENT OF PURPOSE

"Sec. 201 (a) This title provides for community action agencies and programs, prescribes the structure and describes the functions of community action agencies and authorizes financial assistance to community action programs and related projects and activities. Its basic purpose is to stimulate a better focusing of all available local, State, private, and Federal resources upon the goal of enabling low-income families, and low-income individuals of all ages, in rural and urban areas, to attain the skills, knowledge, and motivations and secure the opportunities needed for them to become fully self-sufficient. Its specific purposes are to promote, as methods of achieving a better focusing of resources on the goal of individual and family self-sufficiency—

"(1) the strengthening of community capabilities for planning and coordinating Federal, State, and other assistance related to the elimination of poverty, so that this assistance, through the efforts of local officials, organizations, and interested and affected citizens, can be made more responsive to local needs and conditions;

"(2) the better organization of a range of services related to the needs of the poor, so that these services may be made more effective and efficient in helping families and individuals to overcome particular problems in a way that takes account of, and supports their progress in overcoming, related problems;

"(3) the greater use, subject to adequate evaluation, of new types of services and innovative approaches in attacking causes of poverty, so as to develop increasingly effective methods of employing available resources;

"(4) the development and implementation of all programs and projects designed to serve the poor or low-income areas with the maximum feasible participation of residents of the areas and members of the groups served, so as to best stimulate and take full advantage of capabilities for self-advancement and assure that those programs and projects are otherwise meaningful to and widely utilized by their intended beneficaries; and

"(5) the broadening of the resource base of programs directed to the elimination of poverty, so as to secure, in addition to the services and assistance of public officials, private religious, charitable, and neighborhood organizations, and individual citizens, a more active role for business, labor, and professional groups able to provide employment opportunities or otherwise influence the quantity and quality of services of concern to the poor.

Office of Economic Opportunity, statement of policy.

"(b) It is further declared to be the purpose of this title and the policy of the Office of Economic Opportunity to provide for basic education, health care, vocational training, and employment opportunities in rural America to enable the poor living in rural areas to remain in such areas and become self-sufficient therein. It shall not be the purpose of this title or the policy of the Office of Economic Opportunity to encourage the rural poor to migrate to urban areas, inasmuch as it is the finding of Congress that continuation of such migration is frequently not in the best interests of the poor and tends to further congest the already overcrowded slums and ghettos of our Nation's cities.

* * * * *

81 Stat. 696.

"PART B—FINANCIAL ASSISTANCE TO COMMUNITY ACTION PROGRAMS AND RELATED ACTIVITIES

"GENERAL PROVISIONS FOR FINANCIAL ASSISTANCE

81 Stat. 697.

"SEC. 221. (a) The Director may provide financial assistance to community action agencies for the planning, conduct, administration and evaluation of community action programs and components. Those components may involve, without limitation, other activities and supporting facilities designed to assist participants including the elderly poor—

"(1) to secure and retain meaningful employment;

"(2) to attain an adequate education;

"(3) to make better use of available income;

"(4) to provide and maintain adequate housing and a suitable living environment;

"(5) to undertake family planning, consistent with personal and family goals, religious and moral convictions;

"(6) to obtain services for the prevention of narcotics addiction, alcoholism, and the rehabilitation of narcotic addicts and alcoholics;

"(7) to obtain emergency assistance through loans or grants to meet immediate and urgent individual and family needs, including the need for health services, nutritious food, housing, and employment-related assistance;

"(8) to remove obstacles and solve personal and family problems which block the achievement of self-sufficiency;

"(9) to achieve greater participation in the affairs of the community; and

"(10) to make more frequent and effective use of other programs related to the purposes of this title.

He may also provide financial assistance to other public or private nonprofit agencies to aid them in planning for the establishment of a community action agency.

"(b) If the Director determines that a limited purpose project or program involving activities otherwise eligible under this section is needed to serve needs of low-income families and individuals in a community and no community action agency has been designated for that community pursuant to section 210, or where a community action agency gives its approval for such a program to be funded directly through a public or private nonprofit agency or organization, he may extend financial assistance for that project or program to a public or private nonprofit agency which he finds is capable of carrying out the project in an efficient and effective manner consistent with the purpose of this title.

Ante, p. 691.

"(c) The Director shall prescribe necessary rules or regulations governing applications for assistance under this section to assure that every reasonable effort is made by each applicant to secure the views of local public officials and agencies in the community having a direct or substantial interest in the application and to resolve all issues of cooperation and possible duplication prior to its submission.

Financial assistance.
Condition.

"(d) After July 1, 1968, the Director shall require, as a condition of assistance, that each community action agency has adopted a systematic approach to the achievement of the purposes of this title and to the utilization of funds provided under this part. Such systematic approach shall encompass a planning and implementation process which seeks to identify the problems and causes of poverty in the community, seeks to mobilize and coordinate relevant public and private resources, establishes program priorities, links program components with one another and with other relevant programs, and provides for evaluation. The Director may, however, extend the time for such requirement to take into account the length of time a program has been in operation. He shall also take necessary steps to assure the participation of other Federal agencies in support of the development and implementation of plans under this subsection.

81 Stat. 698.

"(e) In order to promote local responsibility and initiative, the Director shall not establish binding national priorities on funds authorized by this section, but he shall review each application for financial assistance on its merits. Before extending financial assistance to a new community action agency under this section, and in determining the amount of and conditions on which such assistance shall be extended, the Director shall consider the extent and nature of poverty in the community and the probable capacity of the agency to carry out an effective program. In reviewing or supplementing financial assistance to a previously existing community action agency, he shall consider the progress made in carrying on programs by such agency.

"SPECIAL PROGRAMS AND ASSISTANCE

"SEC. 222. (a) In order to stimulate actions to meet or deal with particularly critical needs or problems of the poor which are common to a number of communities, the Director may develop and carry on special programs under this section. This authority shall be used only where the Director determines that the objectives sought could not be effectively achieved through the use of authorities under section 221, including assistance to components or projects based on models developed and promulgated by him. It shall also be used only with respect to programs which (A) involve activities which can be incorporated into or be closely coordinated with community action programs, (B) involve significant new combinations of resources or new and innovative approaches, or (C) are structured in a way that will, within the limits of the type of assistance or activities contemplated, most fully and effectively promote the purposes of this title. Subject to such conditions as may be appropriate to assure effective and efficient administration, the Director may provide financial assistance to public or private nonprofit agencies to carry on local projects initiated under such special programs; but he shall do so in a manner that will encourage, wherever feasible, the inclusion of the assisted projects in community action programs, with a view to minimizing possible duplication and promoting efficiencies in the use of common facilities and services, better assisting persons or families having a variety of needs, and otherwise securing from the funds committed the greatest possible impact in promoting family and individual self-sufficiency. Programs under this section shall include those described in the following paragraphs:

"Project Headstart."

"(1) A program to be known as 'Project Headstart' focused upon children who have not reached the age of compulsory school attendance which (A) will provide such comprehensive health, nutritional, education, social, and other services as the Director finds will aid the children to attain their full potential, and (B) will provide for direct participation of the parents of such children in the development, conduct, and overall program direction at the local level.

"Follow Through."

"(2) A program to be known as 'Follow Through' focused primarily upon children in kindergarten or elementary school who were previously enrolled in Headstart or similar programs and designed to provide comprehensive services and parent participation activities as described in in paragraph (1), which the Director finds will aid in the continued development of children to their full potential. Funds for such program shall be transferred directly from the Director to the Secretary of Health, Education, and Welfare. Financial assistance for such projects shall be provided by the Secretary on the basis of agreements reached with the Director directly to local educational agencies except as otherwise provided by such agreements.

"Legal Services."

"(3) A 'Legal Services' program to further the cause of justice among persons living in poverty by mobilizing the assistance of lawyers and legal institutions and by providing legal advice, legal representation, counseling, education, and other appropriate services. Projects involving legal advice and representation shall be carried on in a way that assures maintenance of a lawyer-client relationship con-

81 Stat. 699.

sistent with the best standards of the legal profession. The Director shall make arrangements under which the State bar association and the principal local bar associations in the community to be served by any proposed project authorized by this paragraph shall be consulted and afforded an adequate opportunity to submit, to the Director, comments and recommendations on the proposed project before such project is approved or funded, and to submit, to the Director, comments and recommendations on the operations of such project, if approved and funded. No funds or personnel made available for such program (whether conducted pursuant to this section or any other section in this part) shall be utilized for the defense of any person indicted (or proceeded against by information) for the commission of a crime, except in extraordinary circumstances where, after consultation with the court having jurisdiction, the Director has determined that adequate legal assistance will not be available for an indigent defendant unless such services are made available.

"Comprehensive Health Services."

"(4) A 'Comprehensive Health Services' program which shall include—

"(A) programs to aid in developing and carrying out comprehensive health services projects focused upon the needs of urban and rural areas having high concentrations or proportions of poverty and marked inadequacy of health services for the poor. These projects shall be designed—

"(i) to make possible, with maximum feasible use of existing agencies and resources, the provision of comprehensive health services, such as preventive medical, diagnostic, treatment, rehabilitation, family planning, narcotic addiction and alcoholism prevention and rehabilitation, mental health, dental, and followup services, together with necessary related facilities and services, except in rural areas where the lack of even elemental health services and personnel may require simpler, less comprehensive services to be established first; and

"(ii) to assure that these services are made readily accessible to low-income residents of such areas, are furnished in a manner most responsive to their needs and with their participation and wherever possible are combined with, or included within, arrangements for providing employment, education, social, or other assistance needed by the families and individuals served: *Provided however*, That such services may be made available on an emergency basis or pending a determination of eligibility to all residents of such areas.

Funds, allotment.

Funds for financial assistance under this paragraph shall be allotted according to need, and capacity of applicants to make rapid and effective use of that assistance, and may be used, as necessary, to pay the full costs of projects.

Before approving any project, the Director shall solicit and consider the comments and recommendations of the local medical associations in the area and shall consult with appropriate Federal, State, and local health agencies and take such steps as may be required to assure that the program will be carried on under competent professional supervision and that existing agencies providing related services are furnished all assistance needed to permit them to plan for participation in the program and for the necessary continuation of those related services; and

81 Stat. 700.

"(B) Programs to provide financial assistance to public or private agencies for projects designed to develop knowledge or enhance skills in the field of health services for the poor. Such projects shall encourage both prospective and practicing health professionals to direct their talents and energies toward providing health services for the poor. In carrying out the provisions of this paragraph, the Director is authorized to provide or arrange for training and study in the field of health services for the poor. Pursuant to regulations prescribed by him, the Director may arrange for the payment of stipends and allowances (including travel and subsistence expenses) for persons undergoing such training and study and for their dependents. The Director and the Secretary of Health, Education, and Welfare shall achieve effective coordination of programs and projects authorized under this section with other related activities.

"Upward Bound."

"(5) A program to be known as 'Upward Bound' designed to generate skills and motivation necessary for success in education beyond high school among young people from low-income backgrounds and inadequate secondary school preparation. Projects must include arrangements to assure cooperation among one or more institutions of higher education and one or more secondary schools. They must include a curriculum designed to develop creative thinking, effective expression and attitudes toward learning needed for post-secondary educational success, necessary health services and such recreational and cultural and group activities as the Director determines may be appropriate. Financial assistance for such projects may be provided directly to institutions of higher learning, but the projects shall be closely coordinated with activities of community action agencies and activities carried on under the Higher Education Act of 1965.

79 Stat. 1219.

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"Senior Opportunities and Services."

"(8) A program to be known as 'Senior Opportunities and Services' designed to identify and meet the needs of older, poor persons above the age of 60 in one or more of the following areas: development and provision of new employment and volunteer services; effective referral to existing health, welfare, employment, housing, legal, consumer, transportation, education, and recreational and other services; stimulation and creation of additional services and programs to remedy gaps and deficiencies in presently existing services and programs; modification of existing procedures, eligibility requirements and program structures to facilitate the greater use of, and participation in, public services by the older poor; development of all-season recreation and service centers controlled by older persons themselves; and such other activities and services as the Director may determine are necessary or specially appropriate to meet the needs of the older poor and to assure them greater self-sufficiency. In administering this program the Director shall utilize to the maximum extent feasible the services of the Administration of Aging in accordance with agreements with the Secretary of Health, Education, and Welfare.

"(b) Consistent with, and subject to, the provisions of sections 230 and 232 (a), (b), and (c), programs under this section may include related training, research, and technical assistance, and funds allocated for this purpose may be allotted and used in the manner otherwise provided under this title with respect to training, research, and technical assistance activities.

"RESIDENT EMPLOYMENT

"SEC. 223. In the conduct of all component programs under this part, residents of the area and members of the groups served shall be provided maximum employment opportunity, including opportunity for further occupational training and career advancement The Director shall encourage the employment of persons fifty-five years and older as regular, part-time and short-term staff in component programs.

"NEIGHBORHOOD CENTERS

"SEC. 224. The Director shall encourage the development of neighborhood centers, designed to promote the effectiveness of needed services in such fields as health, education, manpower, consumer protection, child and economic development, housing, legal, recreation, and social services, and so organized (through a corporate or other appropriate framework) as to promote maximum participation of neighborhood residents in center planning, policymaking, administration, and operation. In addition to providing such services as may not otherwise be conveniently or readily available, such centers shall be responsive to such neighborhood needs, such as counseling, referral, follow-through, and community development activities, as may be necessary or appropriate to best assure a system under which existing programs are extended to the most disadvantaged, are linked to one another, are responsive and relevant to the range of community, family, and individual problems and are fully adapted to neighborhood needs and conditions.

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81 Stat. 703.

"Part C—Supplemental Programs and Activities

"TECHNICAL ASSISTANCE AND TRAINING

"Sec. 230. The Director may provide, directly or through grants or other arrangements, (1) technical assistance to communities in developing, conducting, and administering programs under this title, and (2) training for specialized or other personnel which is needed in connection with those programs or which otherwise pertains to the purposes of this title. Upon request of an agency receiving financial assistance under this title, the Director may make special assignments of personnel to the agency to assist and advise it in the performance of functions related to the assisted activity; but no such special assignment shall be for a period of more than two years in the case of any agency.

* * * *

"RESEARCH AND PILOT PROGRAMS

"Sec. 232. (a) The Director may contract or provide financial assistance for pilot or demonstration projects conducted by public or private agencies which are designed to test or assist in the development of new approaches or methods that will aid in overcoming special problems or otherwise in furthering the purposes of this title. He may also contract or provide financial assistance for research pertaining to the purposes of this title.

"(b) The Director shall establish an overall plan to govern the approval of pilot or demonstration projects and the use of all research authority under this title. The plan shall set forth specific objectives to be achieved and priorities among such objectives. In formulating the plan, the Director shall consult with other Federal agencies for the purpose of minimizing duplication among similar activities or projects and determining whether the findings resulting from any research or pilot projects may be incorporated into one or more programs for which those agencies are responsible. As part of the annual report required by section 608, or in a separate annual report, the Director shall submit a description for each fiscal year of the current plan required by this section, of activities subject to the plan, and of the findings derived from those activities, together with a statement indicating the time and, to the extent feasible, the manner in which the benefits of those activities and findings are expected to be realized.

81 Stat. 704.

78 Stat. 532.
42 USC 2948.

"(c) Not more than 15 per centum of the sums appropriated or allocated in any fiscal year for this title shall be used for the purposes of this section. One-third of the sums so appropriated or allocated shall be available only for projects authorized under subsection (f) of this section.

"(d) No pilot or demonstration project under this section shall be commenced in any city, county, or other major political subdivision, unless a plan setting forth such proposed pilot or demonstration project has been submitted to the appropriate community action agency, or, if there is no such agency, to the local governing officials of the political subdivision, and such plan has not been disapproved by the community action agency or governing body, as the case may be, within thirty days of such submission, or, if so disapproved, has been reconsidered by the Director and found by him to be fully consistent with the provisions and in furtherance of the purposes of this title.

"(e) The Director shall develop and carry out pilot projects which (1) aid elderly persons to achieve greater self-sufficiency, (2) focus upon the problems of rural poverty, (3) are designed to develop new techniques and community-based efforts to prevent narcotics addiction or to rehabilitate narcotic addicts, or (4) are designed to encourage the participation of private organizations, other than nonprofit organizations, in programs under this title.

"(f) The Director shall conduct, either directly or through grants or other arrangements, research and pilot projects designed to assure a more effective use of human and natural resources of rural America and to slow the migration from rural areas due to lack of economic opportunity, thereby reducing population pressures in urban centers. Such projects may be operated jointly or in cooperation with other federally assisted programs, particularly programs authorized under the Public Works and Economic Development Act of 1965, in the area to be served by the project.

79 Stat. 552.
42 USC 3121 note.

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AMENDMENTS TO TITLE III—RURAL AREAS PROGRAMS

SEC. 105. (a) Title III of the Economic Opportunity Act of 1964 is amended by (1) inserting immediatley under the title heading a new part heading to read "PART A—RURAL LOAN PROGRAM", and (2) striking out the heading immediately before section 302 and inserting in lieu thereof a new heading to read "LOANS TO FAMILIES".

78 Stat. 524.
42 USC 2841-2881.

(b) Section 301 of such Act is amended to read as follows:

42 USC 2841.

"STATEMENT OF PURPOSE

"SEC. 301. It is the purpose of this part to meet some of the special needs of low-income rural families by establishing a program of loans to assist in raising and maintaining their income and living standards."

(c) Section 302(a) of such Act is amended (1) by inserting the word "principal" after the word "aggregate", and (2) by inserting after "families" the following: ", and, in the case of the elderly, will contribute to the improvement of their living or housing conditions".

78 Stat. 524;
80 Stat. 1464.
42 USC 2851.

(d) Section 606 of such Act is transferred from title VI thereof to the end of part A of title III, is redesignated as section 306, and amended by striking out "titles III of this Act" in subsections (a) and (d) and inserting in lieu thereof "this part".

42 USC 2946.

(e) Part B of title III of such Act is amended to read as follows:

"PART B—ASSISTANCE FOR MIGRANT, AND OTHER SEASONALLY EMPLOYED, FARMWORKERS AND THEIR FAMILIES

"STATEMENT OF PURPOSE

"SEC. 311. The purpose of this part is to assist migrant and seasonal farmworkers and their families to improve their living conditions and develop skills necessary for a productive and self-sufficient life in an increasingly complex and technological society.

"FINANCIAL ASSISTANCE

"SEC. 312. (a) The Director may provide financial assistance to assist State and local agencies, private nonprofit institutions and cooperatives in developing and carrying out programs to fulfill the purpose of this part.

"(b) Programs assisted under this part may include projects or activities—

"(1) to meet the immediate needs of migrant and seasonal farmworkers and their families, such as day care for children, education, health services, improved housing and sanitation (including the provision and maintenance of emergency and temporary housing and sanitation facilities), legal advice and representation, and consumer training and counseling;

"(2) to promote increased community acceptance of migrant and seasonal farmworkers and their families; and

"(3) to equip unskilled migrant and seasonal farmworkers and members of their families as appropriate through education and training to meet the changing demands in agricultural employment brought about by technological advancement and to take advantage of opportunities available to improve their well-being and self-sufficiency by gaining regular or permanent employment or by participating in available Government training programs.

"LIMITATIONS ON ASSISTANCE

"SEC. 313. (a) Assistance shall not be extended under this part unless the Director determines that the applicant will maintain its prior level of effort in similar activities.

"(b) The Director shall establish necessary procedures or requirements to assure that programs under this part are carried on in coordination with other programs or activities providing assistance to the persons and groups served.

"TECHNICAL ASSISTANCE, TRAINING, AND EVALUATION

"SEC. 314. (a) The Director may provide directly or through grants, contracts, or other arrangements, such technical assistance or training of personnel as may be required to implement effectively the purposes of this title.

"(b) The Director shall provide for necessary evaluation of projects under this title and may, through grants or contracts, secure independent evaluation for this purpose. The results of such evaluation shall be published and shall be summarized in the report required by section 608."

* * * * *

"TECHNICAL ASSISTANCE AND MANAGEMENT TRAINING

"SEC. 406. (a) The Administrator of the Small Business Administration is authorized to provide financial assistance to public or private organizations to pay all or part of the costs of projects designed to provide technical and management assistance to individuals or enterprises eligible for assistance under section 402, with special attention to small business concerns located in urban areas of high concentration of unemployed of low-income individuals or owned by low-income individuals. *Ante*, p. 710.

"(b) Financial assistance under this section may be provided for projects, including without limitation—

"(1) planning and research, including feasibility studies and market research;

"(2) the identification and development of new business opportunities;

"(3) the furnishing of centralized services with regard to public services and government programs, including programs authorized under section 402; *Ante*, p. 710.

"(4) the establishment and strengthening of business service agencies, including trade associations and cooperatives;

"(5) the encouragement of the placement of subcontracts by major businesses with small business concerns located in urban areas of high concentration of unemployed or low-income individuals or owned by low-income individuals, including the provision of incentives and assistance to such major businesses so that they will aid in the training and upgrading of potential subcontractors or other small business concerns; and

"(6) the furnishing of business counseling, management training, and legal and other related services, with special emphasis on the development of management training programs using the resources of the business community, including the development of management training opportunities in existing businesses, and with emphasis in all cases upon providing management training of sufficient scope and duration to develop entrepreneurial and managerial self-sufficiency on the part of the individuals served.

"(c) The Administrator of the Small Business Administration shall give preference to projects which promote the ownership, participation in ownership, or management of small business concerns by residents of urban areas of high concentration of unemployed or low-income individuals, and to projects which are planned and carried out with the participation of local businessmen.

"(d) To the extent feasible, services under this section shall be provided in a location which in easily accessible to the individuals and small business concerns served.

"(e) The Administrator of the Small Business Administration shall, in carrying out programs under this section, consult with and take into consideration the views of the Secretary of Commerce, with a view to coordinating activities and avoiding duplication of effort.

"(f) The President may, if he determines that it is necessary to carry out the purposes of this part, transfer any of the functions under this section to the Secretary of Commerce.

"(g) The Administrator of the Small Business Administration shall provide for an independent and continuing evaluation of programs under this section, including full information on and analysis of the character and impact of managerial assistance provided, the location, income characteristics and types of businesses and individuals assisted, and the extent to which private resources and skills have been involved in these programs. Such evaluation together with any recommendations as he deems advisable shall be included in the report required by section 608.

78 Stat. 532.
42 USC 2948.

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"TITLE V—WORK EXPERIENCE, TRAINING, AND DAY CARE PROGRAMS"

(c) Title V of such Act is further amended by inserting after the heading thereof the following:

"PART A—WORK EXPERIENCE AND TRAINING PROGRAMS"

* * * * *

"PROGRAMS FOR THE ELDERLY POOR

Duties of Director.

"SEC. 610. It is the intention of Congress that whenever feasible the special problems of the elderly poor shall be considered in the development, conduct, and administration of programs under this Act. The Director shall (1) carry out such investigations and studies, including consultations with appropriate agencies and organizations, as may be necessary to develop and carry out a plan for the participation of the elderly poor in programs under this Act, including programs providing employment opportunities, public service opportunities, education and other services and activities which assist the elderly poor to achieve self-sufficiency; (2) maintain a constant review of all programs under this Act to assure that the needs of the elderly poor are given adequate consideration; (3) initiate and maintain interagency liaison with all other appropriate Federal agencies to achieve a coordinated national approach to the needs of the elderly poor; and (4) determine and recommend to the President and the Congress such programs requiring additional authority and the necessary legislation to provide such authority. In exercising his responsibilities under this section, the Director shall cooperate with the Commissioner on Aging. The Director shall describe the ways in which this section has been implemented in the annual report required by section 608."

(h) Section 610–1(a) of such Act is amended (1) by striking out "part A of title II" and inserting in lieu thereof "title II", and (2) by inserting the words "a substantial number of the" immediately before the word "persons" the second and third time that word appears.

78 Stat. 532.
42 USC 2948.
80 Stat. 1470.
42 USC 2951.

(i) Section 611 of such Act is amended to read as follows:

78 Stat. 532;
80 Stat. 1470.
42 USC 2961.

"LIMITATION ON BENEFITS FOR THOSE VOLUNTARILY POOR

"SEC. 611. The Director shall take such action as may be necessary to assure that, in determining a person's eligibility for benefits under this Act on account of his poverty, such person will not be deemed to meet the poverty criteria if his lack of income results from his refusal, without good cause, to seek or accept employment commensurate with his health, age, education, and ability."

* * * * *

"SPECIAL RESPONSIBILITIES: TRAINING PROGRAMS

"SEC. 637. (a) It shall be the responsibility of the Director, the Secretary of Labor, the Secretary of Health, Education, and Welfare, and the heads of all other departments and agencies concerned, acting through such procedures or mechanisms as the President may prescribe, to provide for, and take such steps as may be necessary and appropriate to implement, the effective coordination of all programs and activities within the executive branch of the Government relating to the training of individuals for the purpose of improving or restoring employability.

"(b) The Secretary of Labor, pursuant to such agreements as may be necessary or appropriate (which may include arrangements for reimbursement) shall—

"(1) be responsible for assuring that the Federal-State employment service provides and develops its capacity for providing maximum support for the programs described in subsection (a); and

"(2) obtain from the Secretary of Commerce, the Secretary of Health, Education, and Welfare, the Director of the Office of Economic Opportunity, and the head of any other Federal agency administering a training program such employment information as will facilitate the placement of individuals being trained.

* * * * *

AMENDMENT TO TITLE VII

SEC. 109. Section 701(b) of the Economic Opportunity Act of 1964 is amended (1) by striking out "July 1, 1965" and inserting in lieu thereof "July 1, 1968", and (2) by adding at the end thereof the following: "With respect to any period after June 30, 1969, subsection (a) shall not apply."

Public assistance.
78 Stat. 534.
42 USC 2981.

VOLUNTEER PROGRAMS

80 Stat. 1472. 42 USC 2991 *et seq.*

SEC. 110. Title VIII of the Economic Opportunity Act of 1964 is amended to read as follows:

"TITLE VIII—DOMESTIC VOLUNTEER SERVICE PROGRAMS

"VOLUNTEERS IN SERVICE TO AMERICA

"STATEMENT OF PURPOSE

"SEC. 801. This title provides for a program of full-time volunteer service, for programs of part-time or short-term community volunteer service, and for special volunteer programs, together with other powers and responsibilities designed to assist in the development and coordination of volunteer programs. Its purpose is to strengthen and supplement efforts to eliminate poverty by encouraging and enabling persons from all walks of life and all age groups, including elderly and retired Americans, to perform meaningful and constructive service as volunteers in part-time or short-term programs in their home or nearby communities, and as full-time volunteers serving in rural areas and urban communities, on Indian reservations, among migrant workers, in Job Corps centers, and in other agencies, institutions, and situations where the application of human talent and dedication may help the poor to overcome the handicaps of poverty and to secure and exploit opportunities for self-advancement.

"PART A—FULL-TIME VOLUNTEER PROGRAMS

"AUTHORITY TO ESTABLISH FULL-TIME PROGRAMS

"SEC. 810. (a) The Director may recruit, select, and train persons to serve in full-time volunteer programs, and upon request of Federal, State, or local agencies, or private nonprofit organizations, may assign such volunteers to work—

"(1) in meeting the health, education, welfare, or related needs of Indians living on reservations, of migratory workers and their families, or of residents of the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands;

"(2) in the care and rehabilitation of the mentally ill or mentally retarded under treatment at nonprofit mental health or mental retardation facilities; and

"(3) in connection with programs or activities authorized, supported, or of a character eligible for assistance under this Act.

"(b) The assignment of volunteers under this section shall be on such terms and conditions (including restrictions on political activities that appropriately recognize the special status of volunteers living among the persons or groups served by programs to which they have been assigned) as the Director may determine, including work assignments in their own or nearby communities; but volunteers under this part shall not be assigned to duties or work in any State without the consent of the Governor. The assignment of such a volunteer in any State shall be terminated by the Director when so requested by the Governor of such State not later than thirty days or at a time thereafter agreed upon by the Governor and Director after such request has been made by the Governor to the Director.

"TERMS OF SERVICE

"SEC. 811. (a) Volunteers under this part shall be required to make a full-time personal commitment to combating poverty. To the extent practicable, this shall include a commitment to live among and at the economic level of the people served, and to remain available for service without regard to regular working hours, at all times during their term of service, except for authorized periods of leave.

"(b) Volunteers under this part shall be enrolled for one-year periods of service, excluding time devoted to training. The Director may, however, allow persons who are unable to make a full one-year commitment to enroll as volunteer associates for periods of service of not less than two months where he determines that this more limited service will effectively promote the purposes of this title.

"(c) All volunteers under this part shall take and subscribe to an oath or affirmation in the form prescribed by section 106 of this Act, and the provisions of section 1001 of title 18, United States Code, shall be applicable with respect to that oath or affirmation.

Ante, p. 674.
62 Stat. 749.

"SUPPORT OF FULL-TIME VOLUNTEERS

"SEC. 812. (a) The Director may provide a stipend to volunteers under this part while they are in training and on assignment, but the stipend shall not exceed $50 per month during the volunteer's first year of service. He may provide a stipend not to exceed $75 per month in the case of persons who have served for at least one year and who, in accordance with standards prescribed by him, have been designated volunteer leaders on the basis of experience and special skills. The Director may also provide volunteers such living, travel (including travel to and from the place of training), and leave allowances, and such housing, supplies, equipment, subsistence, clothing, health and dental care, or such other support, as he may deem necessary or appropriate for their needs.

"(b) Stipends shall be payable only upon completion of a term of service; except that in extraordinary circumstances the Director may from tine to time advance accrued stipend, or any portion thereof, to or on behalf of a volunteer. In the event of the death of a volunteer during service, the amount of any unpaid stipend shall be paid in accordance with the provisions of section 5582 of title 5, United States Code.

80 Stat. 495.

"(c) The Director may provide or arrange for educational and vocational counseling of volunteers and recent volunteers to encourage them to use the skills and experience which they have derived from their training and service in the national interest, and particularly in combating poverty as members of the helping professions.

81 Stat. 724.

"PART B—AUXILIARY AND SPECIAL VOLUNTEER PROGRAMS

"COMMUNITY SERVICE PROGRAMS

"SEC. 820. (a) The Director shall develop programs designed to expand opportunities for persons to participate in a direct and personal way, on a part-time basis or for shorter periods of service than are required for enrollment under section 810, and in their home or nearby communities, in volunteer activities contributing to the elimination of poverty. Pursuant to appropriate plans, agreements, or arrangements the Director may provide financial, technical, or other assistance needed to carry on projects that are undertaken in connection with these programs. These projects may include, without limitation, activities designed (1) to encourage greater numbers of persons to participate, as volunteers, in local programs and projects assisted under this Act, with particular emphasis upon programs designed to aid youth or promote child development; (2) to encourage persons with needed managerial, professional, or technical skills to contribute those skills to programs for the development or betterment of urban and rural neighborhoods or areas having especially large concentrations or proportions of the poor, with particular emphasis upon helping residents of those neighborhoods or areas to develop the competence necessary to take advantage of public and private resources which would not otherwise be available or used for those programs; and (3) to assist existing national and local agencies relying upon or in need of volunteers to obtain volunteer services more readily, or to provide specialized short-term training, with particular emphasis on agencies serving the most seriously disadvantaged, operating in areas of the most concentrated poverty, or having similar critical needs.

"(b) Persons serving as volunteers under this section shall receive no living allowance or stipend and only such other support or allowances as the Director determines, pursuant to regulations, are required because of unusual or special circumstances affecting the project.

"(c) The services of any person, if otherwise allowable as a non-Federal contribution toward the cost of any program or project assisted under this or any other Federal Act, shall not be disallowed merely by reason of actions of the Director under this section in providing for or assisting in the recruitment, referral, or preservice training of such person.

"SPECIAL VOLUNTEER PROGRAMS

"SEC. 821. The Director is authorized to conduct, or provide by grant or contract for, special volunteer programs designed to stimulate and initiate improved methods of providing volunteer services and to encourage wider volunteer participation, in furtherance of the purposes of this title. Not to exceed 10 per centum of the sums appropriated or allocated from any appropriation to carry out this title for any fiscal year may be used for programs under this section.

"DEMONSTRATION PROJECTS TO HELP YOUNG ADULT CRIMINAL OFFENDERS

"SEC. 822. (a) The Director is authorized to conduct, or to make grants, contracts, or other arrangements for the conduct of demonstration projects in not more than four areas during the fiscal year ending June 30, 1968, and in not more than six areas during each of the two succeeding fiscal years, under which—

"(1) volunteers under part A, and members of the Teacher Corps furnished pursuant to this section, provide criminal offenders aged sixteen through twenty-five with intensive education, training, and counseling for at least a six-month period prior to their release from confinement and for at least a six-month period thereafter; *Ante*, p. 672.

"(2) not more than one hundred such volunteers are employed pursuant to this section during the fiscal year ending June 30, 1968, and not more than one hundred and fifty such volunteers are so employed during each of the two succeeding fiscal years;

"(3) the Commissioner of Education furnishes, on a reimbursable basis, for the purpose of this section, members of the Teacher Corps who have been recruited and trained by one or more institutions of higher education; and

"(4) not more than forty such members are furnished pursuant to this section during the fiscal year ending June 30, 1968, and not more than sixty such members are so furnished during each of the two succeeding fiscal years.

"(b) Members of the Teacher Corps enrolled for purposes of this section, who are not experienced teachers, shall be compensated at the rate of $75 per week plus $15 per week for each dependent. Such members who are experienced teachers shall be compensated at a rate to be fixed by the Commissioner of Education. Assignment of members of the Teacher Corps pursuant to this section shall be without regard to the provisions of section 513(c) of the Higher Education Act of 1965.

* * * * *

12. ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1967

(Public Law 90–247, approved Jan. 2, 1968)

A. Legislative History

Hearings on a bill proposing Elementary and Secondary Education Amendments of 1967, introduced on February 28, 1967 by Representative Carl D. Perkins, of Kentucky, Chairman of the (House) Committee on Education and Labor, were held before that committee on March 2, 3, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 18 and 20, 1967.

A new bill, H.R. 7819, cited as the Elementary and Secondary Education Amendments of 1967, was introduced on April 3, 1967 by Representative John Brademas, of Indiana. The bill was referred to the Committee on Education and Labor. It was reported from that committee on April 11, 1967 (H. Rept. 188). It passed the House on May 25 (legislative day May 24) 1967.

In the Senate, hearings on Education Legislation, 1967, began in April 1967, and continued into September 1967. Hearings before the Subcommittee on Education of the Committee on Labor and Public Welfare were held on April 26, July 24, 25, 26, August 7, 9, 10, 11, 14, 15, 16 and September 18, 1967. The hearings related principally to H.R. 7819 and a similar bill, S. 1125, which had been introduced on February 28, 1967, by Senator Wayne Morse, of Oregon, chairman of the Subcommittee on Education. (The hearing on Apr. 26, 1967 related to S. 1126, proposing Higher Education Amendments, which also had been introduced by Senator Morse on Feb. 28, 1967).

H.R. 7819 was reported in the Senate, from the Committee on Labor and Public Welfare, on November 6, 1967 (S. Rept. 726). It passed the Senate amended, on December 11, 1967. On the same day, the House asked for a conference. On December 12, 1967, the Senate agreed to a conference. The conference report was filed on December 15, 1967 (H. Rept. 1049), and the House and Senate both agreed to the conference report on that date. The act was approved on January 2, 1968, and became Public Law 90–247.

B. Some Press Comments

On January 3, 1968, the New York Times reported that at his ranch in Texas on January 2, the President had signed a number of important bills of which a measure amending the Elementary and Secondary Education Act was one.

The Washington Post on January 3, 1968, stated that on January 2, 1968, the President had signed three major bills, one of which was the elementary and secondary education bill. Concerning this act the Post said, in part:

> * * *
>
> The education legislation * * * gives states more of a say on how the money is spent and permits Congress to appropriate money a year ahead of time to facilitate planning by school officials. The bill also promotes a new effort to prevent children from leaving school early and establishes bilingual education programs for children of Indian, Puerto Rican and Mexican descent. * * *

An article in the New York Times for January 12, 1968, commented in part:

> While other Great Society programs struggled for their very existence last year, Federal aid to education continued to ride the crest of the Congressional popularity wave.
>
> If there had been any doubt that Federal aid to education was here to stay, Congress firmly dispelled any such idea by giving the Johnson Administration nearly all it asked and much that it had not.
>
> * * *
>
> Educational programs * * * won strong bipartisan support. By the end of the long, trying session, Congress had poured nearly $3.9 billion for the current fiscal year into programs administered by the United States Office of Education—97 per cent of the money sought by the Administration.
>
> And the future appears even brighter. Without even an Administration request, Congress agreed to authorize a $9.3 billion extension of the elementary and secondary school program for two years beyond next July 1.
>
> This sum is significantly larger than the two-year $6.1 billion authorization approved in 1966 for the period ending next June 30.
>
> The bulk of the money, in the future as now, will go to schools that have substantial numbers of pupils from low-income families. Funds will also continue to be earmarked for the purchase of textbooks and library materials, for supplementary educational centers and for strengthening state departments of public instruction.[1]
>
> * * *

C. DIGEST OF THE ACT

Following is a summary of Public Law 90–247.

The act requires that all rules, guidelines, etc., issued by the Department of Health, Education, and Welfare affecting the administration of this act shall contain citations to the legal authority upon which they are based. Requires that all such rules, guidelines, etc., shall be uniformly applied and enforced throughout the United States. Stipulates that compliance with title VI of the Civil Rights Act is met by compliance with a court desegregation order or decision.

Title I: The act provides that if funds allocated for aid to education of children from low-income families (title I, ESEA) are insufficient to pay to all local educational agencies the maximum of their entitlement (based on the formula of (a) the number of children in the district from families with incomes below $3,000 and (b) the State's average per-pupil expenditure for education or the national average expenditure, whichever is higher) the following priorities shall be observed: (1) State agency programs for the handicapped, migratory children, and neglected and delinquent children in institutions shall be allocated their maximum grants without any ratable reduction; (2) grants to local agencies shall be computed in accordance with the formula contained in the basic law but subject to two exceptions—(a) the family low-income factor shall be $2,000 until appropriations are sufficient to satisfy all maximum grants as computed by using that factor (thereafter the factor shall be $3,000), and (b) the aggregate amount allocated to each local agency shall in no event be less than it received in fiscal 1967, until such time as total appropriations for this purpose in the fiscal year being computed exceed $1,500 million; (3) grants to State agencies for administrative expenses shall be 1 percent of the aggregate amounts available within the State under the provisions of (1) and (2) above, with a minimum of $150,000 to every State.

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[1] Hunter, Marjorie. Aid bills receive a 97 from Congress. New York Times, Jan. 12, 1968.

The act establishes at a cost not to exceed $50 million a year a new program of special incentive grants to be distributed among those States which exceed the national effort index by spending proportionately more on education than the national average. Such payments, may not in the case of any State exceed 15 percent of the total amounts appropriated for this purpose in any year.

The act adds technical and conforming amendments to title I to bring migrant, neglected and delinquent children formula factors into conformity with the other title I programs. It increases from $75,000 to $150,000 the dollar limitation for State administrative expenses. It authorizes joint training programs for title I ESEA education aids and professional staff. It requires that caseload data used in the computation of the formula be that of the month of January for the preceding fiscal year.

It authorizes studies by the Secretary of Health, Education, and Welfare to set forth the impact upon educational systems of children living in public housing units, and by the Commissioner of Education and the Secretary of Commerce to set forth recommendations concerning methods of calculating entitlements under title I for future years.

It extends for a 2-year period expiring provisions of the school library title of ESEA relating to schools for Indian children and Department of Defense overseas dependent schools.

Revision of Title III, ESEA: The act changes the programs for supplementary educational centers and services from a Federal to a State plan, State grant operations beginning in 1969. Requires that State plans be approved by the Commissioner and that 15 percent of funds appropriated be used for handicapped children. Provides that after fiscal 1969 all funds under this program shall go to the State agency, but that during 1969 the Commissioner may distribute up to 25 percent to local agencies for special projects.

Amendments to Title V: The act amends the provisions for strengthening State educational agencies, effective in 1969, by decreasing the percentage of appropriations available for special project grants from 15 to 5 percent and requiring States to make 10 percent of their appropriation available to local educational agencies for such purpose. Authorizes a new 4-year program of grants to States for comprehensive and continuing educational planning.

Amendments to Title VI, ESEA: The act makes local agencies in combination with State agencies or institutions of higher education, eligible for grants and contracts in the program of Regional Resource Centers for improvement of the education of handicapped children. Authorizes grants and contracts to public or nonprofit private agencies to establish and operate centers for deaf-blind children. Authorizes allotments to the Department of the Interior for handicapped children on reservations. Provides a minimum allotment to States of $100,000. Raises the authorization for the captioned film program. Authorizes the Commissioner to conduct research, surveys, and demonstrations relating to the education of handicapped children.

Amendments to Title VII, ESEA: The act adds to the present program for the dissemination of information a new program of technical assistance to rural areas. Establishes a new program for demonstration projects to prevent school dropouts.

Title II Federally Affected Areas (Public Laws 815 and 874): The act makes amendments to: (1) clarification of definitions, (2) effective date provisions, (3) administration proposals modifying provisions relating to school construction assistance on Indian lands under Public Law 815; (4) deletion from Public Law 874 of provisions requiring that certain contributions be deducted from entitlements under that act; (5) the Chamizal international boundary change; (6) repeal of provisions requiring the use by States of mandatory group rate provisions under Public Law 874, and (7) providing the Commissioner of education with discretionary authority to waive certain requirements of Public Law 815.

The act extends the provisions of the School Disaster Act for a 3-year period and expands its loan program to provide for replacement of school facilities in communities which suffer pinpoint disasters such as fire (other than negligence or intentionally caused), flood, hurricane, earthquake, storm, or other catastrophe even though the local community has not been designated a major disaster area.

Title III Duration of Programs and Authorization for Certain Programs: Extends title I, ESEA, through fiscal 1970. Extends title II, ESEA, for 2 years with authorizations of $62.5 million for fiscal 1969 and $200 million for fiscal 1970.

It authorizes for title III, ESEA, $500 million for fiscal 1968 and $550 million for fiscal 1969. Extends title V, ESEA, for 2 years with authorization of $65 million for fiscal 1968 and $80 million each year for fiscal 1969 and 1970. Extends title VI, ESEA, for 2 years with authorizations of $162.5 million for fiscal 1969 and $200 million for fiscal 1970.

The act extends the temporary provisions of Public Law 815 (81st Congress) for 3 years through fiscal 1970. Extends Public Law 874 (81st Congress) for 3 years through fiscal 1970.

Title IV Planning and Evaluation: The act directs the Secretary of Health, Education, and Welfare to plan for programs in succeeding years and to evaluate present programs. Requires the Secretary to transmit a report on the results of the evaluation to the legislative and appropriation committees in Congress no later than January 31 of each calendar year.

The act authorizes funds for elementary and secondary education programs to be appropriated 1 year in advance of the year in which they will be obligated. Makes provision for grants or payments to educational institutions or agencies on the basis of academic years when such years are different from fiscal years.

Title V Adult Education: The act provides a minimum allotment to each State of $100,000 under the Adult Education Act. Extends the act through fiscal 1970 and authorizes appropriations of $70 million for fiscal 1969 and $80 million for fiscal 1970. Allows participation of private nonprofit agencies and removes the expiration date for the 90-percent Federal share.

Title VI Demonstration Projects and Study for Schoolbus Safety: The act authorizes the Secretary of Transportation to make arrangements for: (1) a study of minimum safety standards for the operation of schoolbuses and (2) demonstration projects for such study. Authorizes $150,000 to be appropriated for such purpose.

Title VII Bilingual Education Programs: The act adds a new title VII to the Elementary and Secondary Education Act to authorize a program of grants to assist local agencies in planning and operating programs to meet the special educational needs of children with limited English-speaking ability. Authorizes the appropriation of $30 million in fiscal 1969 and $40 million in fiscal 1970 for such purpose.

The act amends the Higher Education Act (title V) and authorizes additional appropriations to provide for graduate fellowships for training in bilingual education. Amends the National Defense Education Act (title XI) and authorizes additional appropriations to enable teachers who are teaching or preparing to teach in bilingual programs to attend advanced study institutes.

D. Text of the Act

Following is the text of Public Law 90–247:

81 Stat. 783.

AN ACT To strengthen, improve, and extend programs of assistance for elementary and secondary education, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Elementary and Secondary Education Amendments of 1967".

Elementary and Secondary Education Amendments of 1967.

ADMINISTRATION

Sec. 2. Rules, regulations, guidelines, or other published interpretations or orders issued by the Department of Health, Education, and Welfare or the United States Office of Education, or by any official of such agencies, in connection with, or affecting, the administration of programs authorized by this Act, or by any Act amended by this Act shall contain immediately following each substantive provision of such rules, regulations, guidelines, interpretations, or orders, citations to the particular section or sections of statutory law or other legal authority upon which such provision is based. All such rules, regulations, guidelines, interpretations, or orders shall be uniformly applied and enforced throughout the fifty States.

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965, AND RELATED AMENDMENTS

Part A—Amendments to Title I of Elementary and Secondary Education Act of 1965

PROVISIONS RELATING TO SCHOOLS FOR INDIAN CHILDREN

Sec. 101. The third sentence of section 203(a)(1)(A) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out "June 30, 1967," and inserting in lieu thereof "June 30, 1968, and the fiscal year ending June 30, 1969,".

80 Stat. 1191.
20 USC 241c.

RAISING THE DOLLAR LIMITATION FOR STATE ADMINISTRATIVE EXPENSES UNDER TITLE II OF PUBLIC LAW 874

SEC. 102. Effective for fiscal years beginning after June 30, 1967, section 207(b)(2) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out "$75,000" and inserting in lieu thereof "$150,000".

79 Stat. 1162.
20 USC 241g.

TECHNICAL CORRECTIONS WITH RESPECT TO PAYMENTS ON ACCOUNT OF NEGLECTED OR DELINQUENT CHILDREN

SEC. 103. (a) The first sentence of section 203(a)(2) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by inserting "(other than such institutions operated by the United States)" immediately after "living in institutions for neglected or delinquent children", and by striking out "paragraph (5)" and inserting in lieu thereof "paragraph (7)".

79 USC. 28;
80 Stat. 1193.

(b) Section 205(c)(1)(C) of such Act is amended by striking out "(8)" and inserting in lieu thereof "(11)".

80 Stat. 1192.
20 USC 241e.

(c) Section 206(a)(3) and section 207(b) of such Act are each amended by striking out "section 205(a)(5)" and inserting in lieu thereof "section 205(a)(6)".

79 Stat. 31, 1162.
20 USC 241f, 241g.

81 Stat. 784.

CONFORMING AMENDMENTS TO MAKE STATE OR NATIONAL AVERAGE PER PUPIL EXPENDITURE OPTION AVAILABLE TO STATE AGENCY PROGRAMS UNDER TITLE I

SEC. 104. (a)(1) The second sentence of section 203(a)(6) of the Act of September 30, 1950, is amended by striking out "average per pupil expenditure in the United States" and inserting in lieu thereof the following: "average per pupil expenditure in that State or, if greater, in the United States".

80 Stat. 1192.
20 USC 241c.

(2) The first sentence of section 203(a)(7) of such Act is amended by inserting after "average per pupil expenditure in that State" the following: "or, if greater, in the United States".

80 Stat. 1194.

(b)(1) Section 203(a)(2) of such Act is amended by striking out the last sentence thereof.

(2) Section 203(a)(6) of such Act is amended by striking out the last sentence thereof.

(3) Section 203 of such Act is amended by adding at the end thereof the following subsection:

79 Stat. 28.

"Average per pupil expenditure."

"(e) For purposes of this section, the 'average per pupil expenditure' in a State, or in the United States, shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies as defined in section 303(6)(A) in the State, or in the United States (which for the purposes of this subsection means the fifty States and the District of Columbia), as the case may be, plus any direct current expenditures by the State for operation of such agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year."

80 Stat. 1198.
20 USC 244.

(4) The first sentence of section 203(a)(2) and the first sentence of section 203(a)(5) are each amended by striking out the matter in the parentheses immediately after "United States".

(c) The amendments made by this section shall apply with respect to fiscal years ending on or after June 30, 1969.

USE OF RECENT CASELOAD DATA

80 Stat. 1195.

SEC. 105. The third sentence of section 203(d) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out "latest calendar or fiscal year data, whichever is later" and inserting in lieu thereof "caseload data for the month of January of the preceding fiscal year".

JOINT TRAINING PROGRAMS FOR EDUCATION AIDES AND PROFESSIONAL STAFF

79 Stat. 30;
80 Stat. 1196.
20 USC 241e.

SEC. 106. Section 205(a) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by inserting a semicolon at the end of paragraph (9), by striking out the period at the end of paragraph (10) and inserting in lieu thereof a semicolon and the word "and", and by adding at the end thereof the following new paragraph:

"(11) in the case of projects involving the use of education aides, the local educational agency sets forth well-developed plans providing for coordinated programs of training in which education aides and the professional staff whom they are assisting will participate together."

81 Stat. 785.

ADJUSTMENTS WHEN NECESSITATED BY APPROPRIATIONS

80 Stat. 1194.
20 USC 241c.

SEC. 107. (a) The second sentence of section 203(c) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended to read as follows: "Except as otherwise provided in section 208, for the fiscal years ending June 30, 1968, June 30, 1969, and June 30, 1970, they shall be 50 per centum and $3,000, respectively."

79 Stat. 33;
80 Stat. 1197.
20 USC 241h.

(b) Section 208 of such Act is amended to read as follows:

"ADJUSTMENTS WHERE NECESSITATED BY APPROPRIATIONS

"SEC. 208. If the sums appropriated for any fiscal year for making the payments provided in this part are not sufficient to pay in full the total amounts which all local and State educational agencies are eligible to receive under this part for such year—

"(1) the amount available for each grant to a State agency eligible for a grant under paragraph (5), (6), or (7) of section 203(a) shall be equal to the maximum grant as computed under such paragraph;

79 Stat. 1161;
80 Stat. 1192, 1194.
20 USC 241c.
79 Stat. 28.
80 Stat. 1193, 1194.

"(2) allocations shall be made to local educational agencies on the basis of computations, in accordance with section 203(a)(2) as reduced ratably, except that—

"(A) until appropriations are sufficient to satisfy all maximum grants as computed by using a low-income factor of $2,000, the low-income factor (referred to in section 203(c)) for such year shall be $2,000; and

"(B) the aggregate amount available for grants to local educational agencies within each State shall be not less than the aggregate amount allocated to local educational agencies within such State for the fiscal year ending June 30, 1967, until the total appropriations for that fiscal year exceed $1,500,000,000 for part A of title I;

"(3) the amount available for payments to each State educational agency for the purposes of section 207(b) shall be equal to 1 per centum of the aggregate amounts available within that State pursuant to paragraphs (1) and (2), except that no State shall receive less than the minimum amount provided for in section 207(b)(2).

79 Stat. 1162;
80 Stat. 1197.
20 USC 241g.

Ante, p. 783.

In case additional funds become available for making payments under this part for that year, such reduced amounts shall be increased on the same basis that they were reduced. In order to permit the most effective use of all appropriations made to carry out this part, the Commissioner may set dates by which (1) State educational agencies must certify to him the amounts for which the applications of educational agencies have been or will be approved by the State, and (2) State educational agencies referred to in section 203(a)(6) must file applications. If the maximum grant a local educational agency or an agency referred to in section 203(a)(6) would receive (after any ratable reduction which may have been required under the first sentence of this section) is more than an amount which the State educational agency determines, in accordance with regulations prescribed by the Commissioner, such agency will use, the excess amount shall be made available first to educational agencies in that State. Determinations of the educational agencies to which such excess amounts shall be made available shall be made by the State educational agency in furtherance of the purposes of this part, in accordance with criteria prescribed by the Commissioner which are designed to assure that such excess amounts will be made available to other eligible educational agencies with the greatest need, for the purpose of, where appropriate, redressing inequities inherent in, or mitigating hardships caused by, the application of the provisions of paragraph (2) of section 203(a) as a result of such factors as population shifts and changing economic circumstances. In the event excess amounts remain after carrying out the preceding two sentences of this section, such excess amounts shall be distributed among the other States as the Commissioner shall prescribe for use by local educational agencies in such States for the purposes of this part in such manner as the respective State educational agencies shall prescribe."

81 Stat. 786

79 Stat. 28;
80 Stat. 1193, 1194.
20 USC 241c.

SPECIAL INCENTIVE GRANTS

79 Stat. 27;
80 Stat. 1195, 1198.
20 USC 241a-241m.
Post, p. 787.

Sec. 108. (a) Title II of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is further amended by—

(1) inserting "Part A—Basic Grants" immediately after the heading of such title;

(2) striking out "this title" wherever it appears in sections 201 through 208 and inserting in lieu thereof "this part";

(3) inserting "Part C—General Provisions" immediately before the section heading of section 209;

(4) redesignating sections 209 through 214 and references thereto as sections 231 through 236; and

(5) inserting after section 208 thereof the following new part:

"Part B—Incentive Grants

"SPECIAL INCENTIVE GRANTS

"Sec. 221. (a) A special incentive grant shall be made for any fiscal year beginning after June 30, 1968, to the State educational agency of each State which has an effort index for the preceding fiscal year that exceeds the national effort index for such year. The amount of such special incentive grant shall be determined by multiplying the amount of $1 for each 0.01 per centum by which such State's effort index for such year exceeds the national effort index for such year times the aggregate number of children counted for purposes of entitling local educational agencies within such State to basic grants in accordance with clauses (2), (5), (6), and (7) of section 203 (a) of this Act. If the sum of the amounts so determined for all the States exceeds the amount appropriated pursuant to this part for any fiscal year, such amounts shall be ratably reduced. No State agency shall receive in any year a grant pursuant to this section which is in excess of 15 per centum of the total amount appropriated for such year for the purpose of this section. The State educational agency shall distribute such grant to those local educational agencies in such State which are in the greatest need of additional funds, for the purposes set forth in section 205(a), and amounts so distributed shall be used by such agencies in accordance with the provisions governing the use of grants to such agencies under this title.

79 Stat. 28, 1161;
80 Stat. 1192–1194.
20 USC 241c.

79 Stat. 30;
80 Stat. 1195, 1196.
20 USC 241e.

"(b) Grants pursuant to this section shall be made upon application containing such information as the Commissioner may require for the purpose of this section. The Commissioner shall not finally disapprove such an application except after reasonable notice and opportunity for a hearing to the State educational agency.

"State effort index."

81 Stat. 787.

"National effort index."

"(c) For the purpose of this section the term 'State effort index' means the per centum expressing the ratio of expenditures from all non-Federal sources in a State for public elementary and secondary education to the total personal income in such State, and the term 'national effort index' means the per centum expressing the ratio of such expenditures in all States to the total personal income in all States.

"(d) For the purpose of making grants under this part there are authorized to be appropriated not in excess of $50,000,000 each for the fiscal year ending June 30, 1969, and the succeeding fiscal year."

Appropriation.

(b) Sections 232 and 233(a) of such Act (as redesignated by subsection (a) of this section) are each amended by striking out "or 206(b)" and inserting in lieu thereof ", 206(b) or 221 (b)".

AGRICULTURAL WORKERS

Sec. 109. Section 205(c) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by adding at the end thereof the following new paragraph:

80 Stat. 1192.
20 USC 241e.

"(3) For purposes of this subsection, with the concurrence of his parents, a migratory child of a migratory agricultural worker shall be deemed to continue to be such a child for a period, not in excess of five years, during which he resides in the area served by the agency carrying on a program or project under this subsection."

REDESIGNATING SECTION NUMBERS IN TITLE II OF PUBLIC LAW 874

Sec. 110. For the purpose of avoiding confusion between references to section numbers of title II of the Elementary and Secondary Education Act of 1965 and references to section numbers of title II of Public Law 874, Eighty-first Congress (which latter title is also generally cited as title I of the Elementary and Secondary Education Act of 1965), sections 201 through 208, 221, and 231 through 236 of Public Law 874, Eighty-first Congress, as amended by the preceding sections of this Act, are redesignated as sections 101 through 108, 121, and 131 through 136, respectively, and all references to any such section in that or any other law, or in any rule, regulation, order, or agreement of the United States are amended so as to refer to such section as so redesignated.

79 Stat. 36.
20 USC 821-827.
79 Stat. 27;
80 Stat. 1195, 1198.
20 USC 241a-241m.
Ante, p. 786.

STUDY OF IMPACT OF CHILDREN LIVING IN PUBLIC HOUSING

Sec. 111. The Secretary of Health, Education, and Welfare shall make a study of the burden imposed on a local educational agency by the presence of low-rent public housing within the boundaries of its school district. The Secretary shall submit a report on the results of his study to the Senate and House of Representatives on or before May 15, 1968. Such report shall include such recommendations for legislation as the Secretary deems appropriate.

Report to Congress.

COMPLIANCE WITH CIVIL RIGHTS ACT OF 1964

Sec. 112. Section 182 of title I of Public Law 89-750, Eighty-ninth Congress, is amended by striking the period at the end of section 182, inserting in lieu thereof a colon and the following language: "*Provided*, That, for the purpose of determining whether a local educational agency is in compliance

80 Stat. 1209.
42 USC 2000d-5.

78 Stat. 252.
42 USC 2000d-2000d-4.

with title VI of the Civil Rights Act of 1964 (Public Law 88-352), compliance by such agency with a final order or judgment of a Federal court for the desegregation of the school or school system operated by such agency shall be deemed to be compliance with such title VI, insofar as the matters covered in the order or judgment are concerned."

81 Stat. 788.

STUDY OF DATA USED TO ESTABLISH ENTITLEMENTS

Report to Congress.

Ante, p. 787.

SEC. 113. The Commissioner of Education and the Secretary of Commerce, acting together, shall prepare and submit to the Senate and House of Representatives on or before May 1, 1968, a report setting forth a method of determining the information necessary to establish entitlements within each of the several States under title I of the Elementary and Secondary Education Act of 1965 on the basis of data later than 1960. Such report shall include recommendations for legislation necessary to permit the adoption of such method.

ADDITION TO NATIONAL ADVISORY COUNCIL REPORT

79 Stat. 34;
Ante, pp. 786, 787.
20 USC 241*l*

SEC. 114. Section 134 of the Elementary and Secondary Education Act of 1965 is amended by adding at the end thereof the following new subsection:

"(e) In its annual report to the President and the Congress to be made not later than January 31, 1969, the Council shall report specifically on which of the various compensatory education programs funded in whole or in part under the provisions of this title, and of other public and private educational programs for educationally deprived children, hold the highest promise for raising the educational attainment of these educationally deprived children."

PART B—AMENDMENTS TO TITLE II OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

EXTENDING FOR TWO YEARS PROVISIONS RELATING TO SCHOOLS FOR INDIAN CHILDREN AND DEFENSE DEPARTMENT OVERSEAS DEPENDENTS SCHOOLS

80 Stat. 1199.
20 USC 822.

SEC. 121. Section 202(a)(1) of the Elementary and Secondary Education Act of 1965 is amended by striking out "June 30, 1967" and inserting in lieu thereof "June 30, 1968, and the fiscal year ending June 30, 1969".

PART C—REVISION OF TITLE III OF ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

79 Stat. 39.
80 USC 841-848.

SEC. 131. Title III of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"TITLE III—SUPPLEMENTARY EDUCATIONAL CENTERS AND SERVICES

"APPROPRIATIONS AUTHORIZED

"SEC. 301. (a) The Commissioner shall carry out a program for making grants for supplementary educational centers and services, to stimulate and assist in the provision of vitally needed educational services not available in sufficient quantity or quality, and to stipulate and assist in the development and establishment of exemplary elementary and secondary school educational programs to serve as models for regular school programs.

"(b) For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $100,000,000 for the fiscal year ending June 30, 1966; $175,000,000 for the fiscal year ending June 30, 1967; $500,000,000 for the fiscal year ending June 30, 1968; $512,500,000 for the fiscal year ending June 30, 1969; and $550,000,000 for the fiscal year ending June 30, 1970. In addition, there are hereby authorized to be appropriated for the fiscal year ending June 30, 1968, and each of the two succeeding fiscal years, such sums as may be necessary for the administration of State plans, the activities of advisory councils, and the evaluation and dissemination activities required under this title. 81 Stat. 789.

"ALLOTMENT AMONG STATES

"SEC. 302. (a)(1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for grants under this title. The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition for each fiscal year ending prior to July 1, 1969, he shall allot from such amount to (A) the Secretary of the Interior the amount necessary to provide programs and projects for the purpose of this title for individuals on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior, and (B) the Secretary of Defense the amount necessary for such assistance for children and teachers in the overseas dependent schools of the Department of Defense. The terms upon which payments for such purposes shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

"(2) From the sums appropriated for making grants under this title for any fiscal year pursuant to section 301(b), the Commissioner shall allot $200,000 to each State and shall allot the remainder of such sums among the States as follows:

"(A) He shall allot to each State an amount which bears the same ratio to 50 per centum of such remainder as the number of children aged five to seventeen, inclusive, in the State bears to the number of such children in all the the States, and

"(B) He shall allot to each State an amount which bears the same ratio to 50 per centum of such remainder as the population of the State bears to the population of all the States.

For the purposes of this subsection, the term 'State' does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"(b) The number of children aged five to seventeen, inclusive, and the total population of a State and of all the States shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him.

"(c) The amount allotted to any State under subsection (a) for any fiscal year, which the Commissioner determines will not be required for the period for which that amount is available, shall be available for grants pursuant to section 306 in such State, and if not so needed may be reallotted or used for grants pursuant to section 306 in other States. Funds available for reallotment may be reallotted from time to time, on such dates during that period as the Commissioner may fix, among other States in proportion to the amounts originally allotted among these States under subsection (a) for that year, but with the proportionate amount for any of the other States being reduced to the extent it exceeds the sum the Commissioner estimates that State needs and will be able to use for that period; and the total of these reductions may be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount reallotted to a State under this subsection from funds appropriated pursuant to section 301 for any fiscal year shall be deemed to be a part of the amount allotted to it under subsection (a) for that year. 81 Stat. 790.

"(d) The amounts made available under the first sentence of subsection (c) for any fiscal year shall remain available for grants during the next succeeding fiscal year.

"USES OF FEDERAL FUNDS

"SEC. 303. (a) Funds appropriated pursuant to section 301 shall, except as provided in subsection (b), be available only for grants in accordance with applications approved pursuant to this title for—

"(1) planning for and taking other steps leading to the development of programs or projects designed to provide supplementary educational activities and services described in paragraphs (2) and (3), including pilot projects designed to test the effectiveness of plans so developed;

"(2) the establishment or expansion of exemplary and innovative educational programs (including dual-enrollment programs and the lease or construction of necessary facilities) for the purpose of stimulating the adoption of new educational programs (including those described in section 503(4) and special programs for handicapped children) in the schools of the State; and

79 Stat. 49; 80 Stat. 1203. 20 USC 863.

"(3) the establishment, maintenance, operation, and expansion of programs or projects, including the lease or construction of necessary facilities and the acquisition of necessary equipment, designed to enrich the programs of local elementary and secondary schools and to offer a diverse range of educational experience to persons of varying talents and needs by providing, especially through new and improved approaches, supplementary educational services and activities, such as—

"(A) comprehensive guidance and counseling reremedial instruction, and school health, physical education, recreation, psychological, social work, and other services designed to enable and encourage persons to enter, remain in, or reenter educational programs, including the provision of special educational programs, and study areas during periods when schools are not regularly in session;

"(B) comprehensive academic services and, where appropriate, vocational guidance and counseling, for continuing adult education;

"(C) specialized instruction and equipment for students interested in studying advanced scientific subjects, foreign languages, and other academic subjects which are not taught in the local schools or which can be provided more effectively on a centralized basis, or for persons who are handicapped or of preschool age;

"(D) making available modern educational equipment and specially qualified personnel, including artists and musicians, on a temporary basis for the benefit of children in public and other nonprofit schools, organizations, and institutions;

"(E) developing, producing, and transmitting radio and television programs for classroom and other educational use;

"(F) in the case of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs (including preschool education), because some or all of its schools are seriously overcrowded, obsolete, or unsafe, initiating and carrying out programs or projects designed to meet those needs, particularly those which will result in more effective use of existing facilities;

81 Stat. 791.

"(G) providing special educational and related services for persons who are in or from rural areas or who are or have been otherwise isolated from normal educational opportunities, including, where appropriate, the provision of mobile educational services and equipment, special home study courses, radio, television, and related forms of instruction, bilingual education methods, and visiting teachers' programs;

"(H) encouraging community involvement in educational programs; and

"(I) other specially designed educational programs or projects which meet the purposes of this title.

"(b) In addition to the uses specified in subsection (a), funds appropriated for carrying out this title may be used for—

"(1) proper and efficient administration of State plans;

"(2) obtaining technical, professional, and clerical assistance and the services of experts and consultants to assist the advisory councils authorized by this title in carrying out their responsibilities; and

"(3) evaluation of plans, programs, and projects, and dissemination of the results thereof.

"APPLICATIONS FOR GRANTS—CONDITIONS FOR APPROVAL

"SEC. 304. (a) A grant under this title pursuant to an approved State plan or by the Commissioner for a supplementary educational center or service program or project may be made only to a local educational agency or agencies, and then only if there is satisfactory assurance that, in the planning of that program or project there has been, and in the establishment and carrying out thereof there will be, participation of persons broadly representative of the cultural and educational resources of the area to be served. The term 'cultural and educational resources' includes State educational agencies, institutions of higher education, nonprofit private schools, public and nonprofit private agencies such as libraries, museums, musical and artistic organizations, educational radio and television, and other cultural and educational resources. Such grants may be made only upon application to the appropriate State educational agency or to the Commissioner, as the case may be, at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. Such applications shall—

"Cultural and educational resources."

"(1) provide that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

"(2) set forth a program for carrying out the purposes set forth in section 303(a) and provide for such methods of administration as are necessary for the proper and efficient operation of the programs;

"(3) set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in section 303(a), and in no case supplant such funds;

"(4) provide, in the case of an application for assistance under this title which includes a project for the construction of necessary facilities, satisfactory assurance that—

81 Stat. 792.

"(A) reasonable provision has been made, consistent with other uses to be made of the facilities, for areas in such facilities which are adaptable for artistic and cultural activities,

"(B) upon completion of the construction, title to the facilities will be in a State or local educational agency,

"(C) in developing plans for such facilities, (i) due consideration will be given to excellence of architecture and design and to the inclusion of works of art (not representing more than 1 per centum of the cost of the project), and (ii) there will be compliance with such standards as the Secretary may prescribe or approve in order to insure that, to the extent appropriate in view of the uses to be made of the facilities, such facilities are accessible to and usable by handicapped persons, and

"(D) the requirements of section 310 will be complied with;

"(5) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title; and

Annual report.

"(6) provide for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the area served, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

Records.

"(b) An application by a local educational agency for a grant under this title may be approved only if it is consistent with the applicable provisions of this title and—

"(1) meets the requirements set forth in subsection (a);

"(2) provides that the program or project for which application is made—

"(A) will utilize the best available talents and resources and will substantially increase the educational opportunities in the area to be served by the applicant, and

"(B) to the extent consistent with the number of children enrolled in nonprofit private schools in the area to be served whose educational needs are of the type provided by the program or project, makes provision for the participation of such children; and

"(3) has been reviewed by a panel of experts.

"(c) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulations, be subject to approval in the same manner as original applications.

"STATE ADVISORY COUNCILS AND STATE PLANS

"SEC. 305. (a)(1) Any State desiring to receive payments for any fiscal year to carry out a State plan under this title shall (A) establish within its State educational agency a State advisory council (hereinafter referred to as the 'State advisory council') which meets the requirements set forth in paragraph (2), (B) set dates before which local educational agencies must have submitted applications for grants to the State educational agency, and (C) submit to the Commissioner, through its State educational agency, a State plan at such time and in such detail as the Commissioner may deem necessary. The Commissioner may, by regulation, set uniform dates for the submission of State plans and applications. 81 Stat. 793.

"(2) The State advisory council, established pursuant to paragraph (1), shall—

"(A) be appointed to the State Educational Agency, and be broadly representative of the cultural and educational resources of the State (as defined in section 304(a)) and of the public including persons representative of—

"(i) elementary and secondary schools,

"(ii) institutions of higher education, and

"(iii) areas of professional competence in dealing with children needing special education because of physical or mental handicaps;

"(B) advise the State educational agency on the preparation of, and policy matters arising in the administration of, the State plan, including the development of criteria for approval of applications under such State plan;

"(C) review, and make recommendations to the State educational agency on the action to be taken with respect to, each application for a grant under the State plan;

"(D) evaluate programs and projects assisted under this title;

"(E) prepare and submit through the State educational agency a report of its activities, recommendations, and evaluations, together with such additional comments as the State educational agency deems appropriate, to the Commissioner and to the National Advisory Council, established pursuant to this title, at such times, in such form, and in such detail, as the Secretary may prescribe; and

"(F) obtain such professional, technical, and clerical assistance as may be necessary to carry out its functions under this title.

"(b) The Commissioner shall approve a State plan, or modification thereof, if he determines that the plan submitted for that fiscal year—

"(1) sets forth a program (including educational needs, and their basis, and the manner in which the funds paid to the State under this title shall be used in meeting such educational needs) under which funds paid to the State under section 307(a) will be expended solely for the improvement of education in the State through grants to local educational agencies for programs or projects in accordance with sections 303 and 304: *Provided*, That, in the case of a State educational agency that also is a local educational agency, its approval of a program or project to be carried out by it in the latter capacity shall, for the purposes of this title, be deemed an award of a grant by it upon application of a local educational agency if the State plan contains, in addition to the provisions otherwise required by this section, provisions and assurances (applicable to such program or project) that are fully equivalent to those otherwise required of a local educational agency;

"(2) sets forth the administrative organization and procedures, including the qualifications for personnel having responsibilities in the administration of the plan in such detail as the Commissioner may prescribe by regulation;

"(3) sets forth criteria for achieving an equitable distribution of assistance under this title, which criteria shall be based on consideration of (A) the size and population of the State, (B) the geographic distribution and density of the population within the State, and (C) the relative need of persons in different geographic areas and in different population groups within the State for the kinds of services and activities described in section 303, and the financial ability of the local educational agencies serving such persons to provide such services and activities; 81 Stat. 794.

"(4) provides for giving special consideration to the application of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education for four- and five-year-olds and including where appropriate bilingual education, because some or all of its schools are seriously overcrowded (as a result of growth or shifts in enrollment or otherwise), obsolete, or unsafe;

"(5) provides that, in approving applications for grants for programs or projects, applications proposing to carry out programs or projects planned under this title will receive special consideration;

"(6) provides for adoption of effective procedures (A) for the evaluation, at least annually, of the effectiveness of the programs and projects, by the State advisory council, supported under the State plan in meeting the purposes of this title, (B) for appropriate dissemination of the results of such evaluations and other information pertaining to such programs or projects, and (C) for adopting, where appropriate, promising educational practices developed through such programs or projects;

"(7) provides that not less than 50 per centum of the amount which such State receives to carry out the plan in such fiscal year shall be used for purposes of paragraphs (1) and (2) of section 303(a);

"(8) provides that not less than 15 per centum of the amount which such State receives to carry out the plan in such fiscal year shall be used for special programs or projects for the education of handicapped children;

"(9) sets forth policies and procedures which give satisfactory assurance that Federal funds made available under this title for any fiscal year (A) will not be commingled with State funds, and (B) will be so used as to supplement and, to the extent practical, increase the fiscal effort (determined in accordance with criteria prescribed by the Commissioner, by regulation) that would, in the absence of such Federal funds, be made by the applicant for educational purposes;

"(10) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under this title;

"(11) provides for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the areas served by programs or projects supported under the State plan and in the State as a whole, including reports of evaluations made in accordance with objective measurements under the State plan pursuant to paragraph (6), and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports;

"(12) provides that final action with respect to any application (or amendment thereof) regarding the proposed final disposition thereof shall not be taken without first affording the local educational agency or agencies submitting such application reasonable notice and opportunity for a hearing; and

"(13) contains satisfactory assurance that, in determining the eligibility of any local educational agency for State aid or the amount of such aid, grants to that agency under this title shall not be taken into consideration.

81 Stat. 795.

"(c) The Commissioner may, if he finds that a State plan for the fiscal year ending June 30, 1969, is in substantial compliance with the requirements set forth in subsection (b), approve that part of the plan which is in compliance with such requirements and make available (pursuant to section 307) to that State that part of the State's allotment which he determines to be necessary to carry out that part of the plan so approved. The remainder of the amount which such State is eligible to receive under this section may be made available to such State only if the unapproved portion of that State plan has been so modified as to bring the plan into compliance with such requirements: *Provided,* That the amount made available to a State pursuant to this subsection shall not be less than 50 per centum of the maximum amount which the State is eligible to receive under this section.

"(d) A State which has had a State plan approved for any fiscal year may receive for the purpose of carrying out such plan an amount not in excess of 75 per centum of its allotment pursuant to section 302 for the fiscal year ending June 30, 1969, and for the fiscal year ending June 30, 1970, plus for such fiscal year ending June 30, 1970, such part of the remainder of such allotment as is not used pursuant to section 306.

"(e)(1) The Commissioner shall not finally disapprove any plan submitted under subsection (a), or any modification thereof, without first affording the State educational agency submitting the plan reasonable notice and opportunity for a hearing.

"(2) Whenever the Commissioner, after reasonable notice and opportunity for hearings to any State educational agency, finds that there has been a failure to comply substantially with any requirement set forth in the plan of that State approved under section 305 or with any requirement set forth in the application of a local educational agency approved pursuant to section 304, the Commissioner shall notify the agency that further payments will not be made to the State under this title (or, in his discretion, that the State educational agency shall not make further payments under this title to specified local educational agencies affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under this title, or payments by the State educational agency under this title shall be limited to local educational agencies not affected by the failure, as the case may be.

Judicial review.

"(3)(A) If any State is dissatisfied with the Commissioner's final action with respect to the approval of a plan submitted under subsection (a) or with his final action under paragraph (2), such State may, within 60 days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action as provided in section 2112 of title 28, United States Code.

72 Stat. 941.

"(B) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings.

"(C) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

62 Stat. 928.
81 Stat. 796.
Judicial review.

"(f)(1) If any local educational agency is dissatisfied with the final action of the State educational agency with respect to approval of an application by such local agency for a grant pursuant to this title, such local agency may, within sixty days after such final action or notice thereof, whichever is later, file with the United States court of appeals for the circuit in which the State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the State educational agency. The State educational agency thereupon shall file in the court the record of the proceedings on which the State educational agency based its action as provided in section 2112 of title 28, United States Code. 72 Stat. 941.

"(2) The findings of fact by the State educational agency, if supported by substantial evidence shall be conclusive; but the court, for good cause shown, may remand the case to the State educational agency to take further evidence, and the State educational agency may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings.

"(3) The court shall have jurisdiction to affirm the action of the State educational agency or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. 62 Stat. 928.

"SPECIAL PROGRAMS AND PROJECTS

"SEC. 306. (a) From the portion described in subsection (c) of the amount allotted to any State, pursuant to section 302, the Commissioner is authorized, subject to the provisions of section 304, to make grants to local educational agencies in such State for programs or projects which meet the purposes of section 303 and which, in the case of a local educational agency in a State which has a State plan approved, hold promise of making a substantial contribution to the solution of critical educational problems common to all or several States. The Commissioner may not approve an application under this section unless the application has been submitted to the appropriate State educational agency for comment and recommendation with respect to the action to be taken by the Commissioner regarding the disposition of the application.

"(b) Not less than 15 per centum of the funds granted pursuant to this section in any fiscal year shall be used for programs or projects designed to meet the special educational needs of handicapped children.

"(c) For the fiscal year ending June 30, 1969, not in excess of 25 per centum of a State's allotment shall be available for the purposes of this section, and for the fiscal year ending June 30, 1970, only such part, not in excess of 25 per centum, of such allotment shall be available as is necessary to continue toward completion projects pursuant to this section in such State which were initiated prior to such fiscal year except that, for the fiscal year ending June 30, 1969, any portion of a State's allotment which is not available for grants under an approved State plan shall be available for grants in such State under this section.

"PAYMENTS

"Sec. 307. (a) From the allotment to each State pursuant to section 302, for any fiscal year, the Commissioner shall pay to each State, which has had a plan approved pursuant to section 305 for that fiscal year, the amount necessary to carry out its State plan as approved. 81 Stat. 797.

"(b) The Commissioner is authorized to pay to each State amounts necessary for the activities described in section 303(b), during any fiscal year, except that (1) the total of such payments shall not be in excess of an amount equal to 7½ per centum of its allotment for that fiscal year or, $150,000 ($50,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater, and (2) in such payment, the amount paid for the administration of the State plan during the fiscal year ending June 30, 1970, shall not exceed an amount equal to 5 per centum of its allotment for that fiscal year or $100,000 ($35,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater.

"(c) The Commissioner shall pay to each applicant which has an application approved pursuant to section 306 the amount necessary to carry out the program or project pursuant to such application.

"(d) Payments under this section may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"(e) No payments shall be made under this title to any local educational agency or to any State unless the Commissioner finds, in the case of a local educational agency, that the combined fiscal effort of that agency and the State with respect to the provision of free public education by that agency for the preceding fiscal year was not less than such combined fiscal effort for that purpose for the second preceding fiscal year or, in the case of a State, that the fiscal effort of that State for State aid (as defined by regulation) with respect to the provision of free public education in that State for the preceding fiscal year was not less than such fiscal effort for State aid for the second preceding fiscal year.

"RECOVERY OF PAYMENTS

"Sec. 308. If within twenty years after completion of any construction for which Federal funds have been paid under this title—

"(a) the owner of the facility shall cease to be a State or local educational agency, or

"(b) the facility shall cease to be used for the educational and related purposes for which it was constructed, unless the Commissioner determines in accordance with regulations that there is good cause for releasing the applicant or other owner from the obligation to do so.

the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility (or so much thereof as constituted an approved project or projects) the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

"NATIONAL ADVISORY COUNCIL

"SEC. 309. (a) The President shall, by January 31, 1968, appoint a National Advisory Council on Supplementary Centers and Services which shall—

"(1) review the administration of, general regulations for, and operation of this title, including its effectiveness in meeting the purposes set forth in section 303;

Stat. 798.

"(2) review, evaluate, and transmit to the Congress and the President the reports submitted pursuant to section 305(a)(2)(E);

"(3) evaluate programs and projects carried out under this title and disseminate the results thereof; and

"(4) make recommendations for the improvement of this title, and its administration and operation.

Membership.

"(b) The Council shall be appointed by the President without regard to the civil service laws and shall consist of twelve members, a majority of whom shall be broadly representative of the educational and cultural resources of the United States including at least one person who has professional competence in the area of education of handicapped children. Such members shall be appointed for terms of three years except that (1) in the case of the initial members, four shall be appointed for terms of one year each and four shall be appointed for terms of two years each, and (2) appointments to fill the unexpired portion of any term shall be for such portion only. When requested by the President, the Secretary of Health, Education, and Welfare shall engage such technical and professional assistance as may be required to carry out the functions of the Council, and shall make available to the Council such secretarial, clerical and other assistance and such pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out its functions.

Terms of office.

Reports to President and Congress.

"(c) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this title) to the President and the Congress not later than January 20 of each year. The President is requested to transmit to the Congress such comments and recommendations as he may have with respect to such report.

Compensation, travel expenses.

"(d) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, be entitled to receive compensation at rates fixed by the President, but not exceeding $100 per day, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

80 Stat. 499.

"LABOR STANDARDS

"SEC. 310. All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c)."

49 Stat. 1011.

64 Stat. 1267.
63 Stat. 108.

EFFECTIVE DATE

SEC. 132. (a) The amendment made by section 131 shall be effective July 1, 1968, except as specifically provided in subsection (b).

(b)(1) That part of section 305(a) of the Elementary and Secondary Education Act of 1965, as amended by section 131, concerning State advisory councils, and section 309 of such Act, as so amended, shall be effective upon enactment of this Act.

81 Stat. 799.
Ante, p. 788.

(2) The second sentence of section 301(b) of such Act, as so amended, shall be effective upon enactment of this Act.

(c) The Commissioner is authorized, upon enactment of this Act, to take such steps as he may deem appropriate in order to prepare to implement the amendment made by section 131.

PART D—AMENDMENTS TO TITLE V OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

DURATION OF AND FUNDS FOR TITLE

SEC. 141. (a) Section 501(a) of the Elementary and Secondary Education Act of 1965 is amended by striking out "during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years,".

79 Stat. 47.
20 USC 861.
80 Stat. 1203.

(b) Section 501(b) of such Act is amended by striking out "and $50,000,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof the following: "$65,000,000 for the fiscal year ending June 30, 1968, and $80,000,000 each for the fiscal years ending June 30, 1969, and June 30, 1970,".

INCLUSION OF TRUST TERRITORY OF PACIFIC ISLANDS

SEC. 142. (a) The first and third sentences of paragraph (1) of section 502(a) of the Elementary and Secondary Education Act of 1965, relating to apportionment of appropriations, are each amended by striking out "and" after "Samoa," and by inserting ", and the Trust Territory of the Pacific Islands" after "Virgin Islands".

20 USC 862.

79 Stat. 55; 80 Stat. 1204. 20 USC 881.

(b)(1) Paragraph (j) of section 701 of such Act, defining the term "State", is amended by striking out "and for purposes of title II and title III, such term includes the Trust Territory of the Pacific Islands" and inserting in lieu thereof ", and for purposes of titles II, III, and V such term also includes the Trust Territory of the Pacific Islands".

(2) Such section 701 is further amended by inserting ", except when otherwise specified" immediately after "As used in titles II, III, and V of this Act".

REVISION OF APPORTIONMENT FORMULA

20 USC 862.

SEC. 143. The second sentence of paragraph (1) of section 502(a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows: "The remainder of such per centum of such sums shall be apportioned by the Commissioner as follows:

"(A) He shall apportion 40 per centum of such remainder among the States in equal amounts.

"(B) He shall apportion to each State an amount that bears the same ratio to 60 per centum of such remainder as the number of public school pupils in the State bears to the number of public school pupils in all the States, as determined by the Commissioner on the basis of the most recent satisfactory data available to him."

ENCOURAGEMENT OF USE OF AUXILIARY PERSONNEL

20 USC 863.

SEC. 144. Section 503 of the Elementary and Secondary Education Act of 1965 is amended by redesignating paragraphs (7), (8), (9), (10), and (11) as (8), (9), (10), (11), and (12), respectively, and by inserting after paragraph (6) the following new paragraph:

"(7) programs and other activities specifically designed to encourage the full and adequate utilization and acceptance of auxiliary personnel (such as teacher aides) in elementary and secondary schools on a permanent basis;".

81 Stat. 800.

COMPREHENSIVE PLANNING GRANTS

Ante, p. 799.

SEC. 145. (a) Section 503 of the Elementary and Secondary Education Act of 1965 is amended by striking out "and" at the end of the next to the last paragraph, by striking out the period at the end thereof and inserting a semicolon, and by adding at the end thereof the following new paragraphs:

"(13) programs for providing grants to local educational agencies in metropolitan areas to enable them to engage in comprehensive planning to meet their particular needs, either alone or in cooperation with other such agencies; and

"(14) a program, which shall be included in each such overall program for each fiscal year pursuant to this section, for distributing in the State in an equitable manner on the basis of need among local educational agencies, within the State at least 10 per centum of such amount to be used by such agencies for any of the purposes of this title as applied to a local educational agency in lieu of a State educational agency."

"(b)(1) Section 502(a) of such Act is amended by striking out "85" each time it appears and inserting "95" in lieu thereof.

Ante, p. 799.

(2) Section 502(a)(2) of such Act is amended by striking out "Fifteen" and inserting in lieu thereof "Five".

79 Stat. 48;
20 USC 862.
20 USC 865.

(3) Section 505 of such Act is amended by striking out "Fifteen" and inserting in lieu thereof "Five".

(c) The amendments made by subsections (a) and (b) shall be effective for fiscal years beginning after June 30, 1968.

GRANTS TO INTERSTATE COMMISSIONS

Sec. 146. Section 505 of the Elementary and Secondary Education Act of 1965 is amended by striking out the period at the end of such section and inserting in lieu thereof the following: ", and for grants to public regional interstate commissions or agencies for educational planning and research."

Part E—Amendments to Title VI of the Elementary and Secondary Education Act of 1965, and Related Amendments

REGIONAL RESOURCE CENTERS, SERVICES FOR DEAF-BLIND CHILDREN, RECRUITMENT OF PERSONNEL

Sec. 151. Title VI of the Elementary and Secondary Education Act of 1965 is amended by—

80 Stat. 1204.
20 USC 871.

(1) inserting immediately below the heading of such title

"Part A—Assistance to States for Education of Handicapped Children";

(2) inserting immediately above the heading of section 608

"Part E—General Provisions";

(3) redesignating sections 608, 609, and 610 and references thereto as sections 611, 612, and 613, respectively;

80 Stat. 1207.
20 USC 878-880.

(4) striking out the words "this title" wherever they occur in sections 601, and 603 through 607, and inserting in lieu thereof "this part"; and

(5) inserting immediately after section 607 the following:

81 Stat. 801.

"Part B—Regional Resource Centers for Improvement of the Education of Handicapped Children

"REGIONAL RESOURCE CENTERS

"Sec. 608. (a) For the purpose of aiding in the establishment and operation of regional centers which will develop and apply the best methods of appraising the special educational needs of handicapped children referred to them and will provide other services to assist in meeting such needs, there are authorized to be appropriated $7,500,000 for the fiscal year ending June 30, 1968, $7,750,000 for the fiscal year ending June 30, 1969, and $10,000,000 for the fiscal year ending June 30, 1970.

"(b) Appropriations under this section shall be available to the Commissioner for grants to or contracts with institutions of higher education, State educational agencies, or combinations of such agencies or institutions (which combinations may include one or more local educational agencies), within particular regions of the United States, to pay all or part of the cost of establishment (including construction) or operation of regional resource centers for the improvement of education of the handicapped in such regions. Centers established or operated under this section shall (1) provide testing and educational evaluation to determine the special educational needs of handicapped children referred to such centers, (2) develop educational programs to meet those needs, and (3) assist schools and other appropriate agencies, organizations, and institutions in providing such educational programs through services such as consultation (including, in appropriate cases, consultation with parents or teachers of handicapped children at such regional centers), periodic reexamination and reevaluation of special educational programs, and other technical services.

"(c) In determining whether to approve an application for a project under this section, the Commissioner shall consider the need for such a center in the region to be served by the applicant and the capability of the applicant to develop and apply, with the assistance of funds under this section, new methods, techniques, devices, or facilities relating to educational evaluation or education of handicapped children.

"(d) Payment pursuant to grants or contracts under this section may be made (after necessary adjustments on account of previously made underpayments or overpayments) in advance or by reimbursement, and in such installments and on such conditions as the Commissioner may determine.

"PART C—CENTERS AND SERVICES FOR DEAF-BLIND CHILDREN

"SEC. 609. (a) It is the purpose of this part to provide, through a limited number of model centers for deaf-blind children, a program designed to develop and bring to bear upon such children, beginning as early as feasible in life, those specialized, intensive professional and allied services, methods, and aids that are found to be most effective to enable them to achieve their full potential for communication with and adjustment to the world around them, for useful and meaningful participation in society, and for self-fulfillment.

"(b) The Secretary is authorized, upon such terms and conditions (subject to the provisions of subsection (d)(1) of this section) as he deems appropriate to carry out the purposes of this part, to make grants to or contracts with public or nonprofit private agencies, organizations, or institutions to pay all or part of the cost of establishment (including, when necessary, construction) or operation, or both, of centers for deaf-blind children.

81 Stat. 802.

"(c) In determining whether to make a grant or contract under subsection (b), the Secretary shall take into consideration the need for a center for deaf-blind children in the light of the general availability and quality of existing services for such children in the part of the country involved.

"(d)(1) A grant or contract pursuant to subsection (b) shall be made only if the Secretary determines that there is satisfactory assurance that the center will provide such services as he has by regulation prescribed, including at least—

"(A) comprehensive diagnostic and evaluative services for deaf-blind children;

"(B) a program for the adjustment, orientation, and education of deaf-blind children which integrates all the professional and allied services necessary therefor; and

"(C) effective consultative services for parents, teachers, and others who play a direct role in the lives of deaf-blind children to enable them to understand the special problems of such children and to assist in the process of their adjustment, orientation, and education.

"(2) Any such services may be provided to deaf-blind children (and, where applicable, other persons) regardless of whether they reside in the center, may be provided at some place other than the center, and may include the provision of transportation for any such children (including an attendant) and for parents.

"(e) The Secretary is further authorized, either as part of any grant or contract under subsection (b), or by separate grant to or contract with an agency, organization, or institution operating a center meeting the requirements prescribed by or pursuant to subsection (d), to provide for the payment of all or part of the cost of such activities as—

"(1) research to identify and meet the full range of special needs of deaf-blind children;

"(2) development or demonstration of new, or improvements in existing, methods, approaches, or techniques which would contribute to the adjustment and education of deaf-blind children;

"(3) training (either directly or otherwise) of professional and allied personnel engaged or preparing to engage in programs specifically designed for deaf-blind children, including payment of stipends for trainees and allowances for travel and other expenses for them and their dependents; and

"(4) dissemination of materials and information about practices found effective in working with deaf-blind children.

"Construction."

"(f) For purposes of this part, the term 'construction' includes, in addition to those matters set forth in section 701(b), construction of residential facilities; and the cost of construction shall be deemed to include the cost of acquisition of land in connection with any of the foregoing, but not the cost of off-site improvements.

"(g) If within twenty years after the completion of any construction (except minor remodeling or alteration) for which funds have been paid pursuant to a grant or contract under this part the facility constructed ceases to be used for the purposes for which it was constructed, the United States, unless the Secretary determines that there is good cause for releasing the recipient of the funds from its obligation, shall be entitled to recover from the applicant or other owner of the facility an amount which bears the same ratio to the then value of the facility as the amount of such Federal funds bore to the cost of the portion of the facility financed with such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

81 Stat. 803.

"(h) For purposes of this part, the determination of children who are both deaf and blind shall be made in accordance with regulations of the Secretary.

"(i) Payments pursuant to grants or contracts under this part may be made (after necessary adjustment on account of previously made overpayments or underpayments) in advance or by way of reimbursements, and in such installments and on such conditions as the Secretary may determine.

"(j) For the purpose of carrying out this part, there are authorized to be appropriated $1,000,000 for the fiscal year ending June 30, 1968, $3,000,000 for the fiscal year ending June 30, 1969, and $7,000,000 for the fiscal year ending June 30, 1970.

"PART D—RECRUITMENT OF PERSONNEL AND INFORMATION ON EDUCATION OF THE HANDICAPPED

"GRANTS OR CONTRACTS TO IMPROVE RECRUITING OF EDUCATIONAL PERSONNEL, AND TO IMPROVE DISSEMINATION OF INFORMATION CONCERNING EDUCATIONAL OPPORTUNITIES FOR THE HANDICAPPED

"SEC. 610. (a) The Commissioner is authorized to make grants to public or nonprofit private agencies, organizations, or institutions, or to enter into contracts with public or private agencies, organizations, or institutions, for projects for—

"(1) encouraging students and professional personnel to work in various fields of education of handicapped children and youth through, among other ways, developing and distributing imaginative or innovative materials to assist in recruiting personnel for such careers, or publicizing existing forms of financial aid which might enable students to pursue such careers, or

"(2) disseminating information about the programs, services, and resources for the education of handicapped children, or providing referral services, to parents, teachers and other persons especially interested in the handicapped.

"(b) To carry out the purposes of this section, there are authorized to be appropriated $1,000,000 for the fiscal year ending June 30, 1968, and for each of the two succeeding fiscal years."

TRANSFER OF DEFINITION AND OTHER TECHNICAL AMENDMENTS

SEC. 152. (a) Section 602 of title VI of the Elementary and Secondary Education Act of 1965 is redesignated as section 614 and transferred to the end of such title. 80 Stat. 1204. 20 USC 872.

(b) Section 601 of such title is amended by—

(1) striking out the section heading and inserting in lieu thereof the heading

"GRANTS TO STATES FOR EDUCATION OF HANDICAPPED CHILDREN";

(2) striking out "(a)" in subsection (a);

(3) redesignating section 601(b) and references thereto as section 602 by striking out "(b)" in subsection (b) and inserting "SEC. 602." in lieu thereof; and

(4) inserting above section 602 as so redesignated the section heading

"APPROPRIATIONS AUTHORIZED".

(c)(1) The portion of section 701 of the Elementary and Secondary Education Act of 1965 (containing definitions) which precedes subsection (a), as amended by section 142 (b) of this Act, is further amended by striking out "As used in titles II, III, and V" and inserting in lieu thereof "As used in titles II, III, V, and VI". *Ante*, p. 799.

(2) Paragraph (j) of such section 701, as amended by section 142(b) of this Act, is further amended by striking out "and V" and inserting in lieu thereof "V, and VI". 81 Stat. 804. *Ante*, p. 799.

INCLUDING SCHOOLS FOR INDIAN CHILDREN OPERATED BY THE DEPARTMENT OF THE INTERIOR AND DEFENSE DEPARTMENT OVERSEAS DEPENDENTS SCHOOLS IN TITLE VI

SEC. 153. (a) So much of paragraph (1) of section 603(a) of the Elementary and Secondary Education Act of 1965 as follows the first sentence is amended to read as follows: "The Commissioner shall allot the amount appropriated pursuant to this paragraph among— 80 Stat. 1205. 20 USC 873.

"(A) Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs, and

"(B) for the fiscal year ending June 30, 1968, and the succeeding fiscal year, (i) the Secretary of the Interior according to the need for such assistance for the education of handicapped children on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior, and (ii) the Secretary of Defense according to the need for such assistance for the education of handicapped children in the overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this part."

(b) The first sentence of paragraph (2) of section 603(a) of the Elementary and Secondary Education Act of 1965 is amended by changing the period at the end thereof to a comma and adding the following: "except that no State shall be allotted less than $100,000 or three-tenths of 1 per centum of such amount available for allotment to the States, whichever is greater."

SHORT TITLE OF TITLE VI OF ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

80 Stat. 1204.
20 USC 871.

Sec. 154. Title VI of the Elementary and Secondary Education Act of 1965 is further amended by adding at the end thereof the following new section:

"SHORT TITLE

"Sec. 615. This title may be cited as the 'Education of the Handicapped Act'."

EXPANSION OF INSTRUCTIONAL MEDIA PROGRAMS TO INCLUDE ALL HANDICAPPED CHILDREN

79 Stat. 983.

81 Stat. 805

Sec. 155. (a) Subsection (b) of the first section of the Act entitled "An Act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf" (42 U.S.C. 2491 et seq.), is amended to read as follows in order to conform its statement of objectives to amendments made to such Act by Public Law 89–258 and by this Act:

"(b) to promote the educational advancement of handicapped persons by (1) carrying on research in the use of educational media for the handicapped, (2) producing and distributing educational media for the use of handicapped persons, their parents, their actual or potential employers, and other persons directly involved in work for the advancement of the handicapped, and (3) training persons in the use of educational media for the instruction of the handicapped."

"Handicapped."
79 Stat. 983.
42 USC 2492.

(b) Section 2 of such Act is amended by adding the following at the end thereof:

"(4) The term 'handicapped' means deaf, mentally retarded. speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired persons."

(c) Section 3 of such Act is amended by striking out the word "deaf" and inserting in lieu thereof "handicapped" each time it occurs therein.

(d)(1) Subsection (b)(5) of section 3 of such Act is amended by inserting immediately before the semicolon at the end thereof the following: ", including the payment to those persons of such stipends (including allowances for travel and other expenses of such persons and their dependents) as he may determine, which shall be consistent with prevailing practices under comparable federally supported programs".

(2) This subsection shall take effect on the date of enactment of this Act, except that as to payments made pursuant to such section 3 prior to such date this subsection shall be effective as of September 28, 1962.

(e) Section 4 of such Act is amended by striking out "$5,000,000" and inserting "$8,000,000" in lieu thereof and by striking out "$7,000,000" and inserting "$10,000,000" in lieu thereof.

AUTHORIZING CONTRACTS, AS WELL AS GRANTS, FOR RESEARCH IN EDUCATION OF THE HANDICAPPED

SEC. 156. (a) The first sentence of section 302(a) of Public Law 88–164 is amended (1) by striking out "and" before "$14,000,000"; (2) by inserting ", and $18,000,000 for the fiscal year ending June 30, 1970" after "June 30, 1969"; and (3) by inserting ", and to make contracts with States, State or local educational agencies, public and private institutions of higher learning, and other public or private educational or research agencies and organizations, for research and related purposes (as defined in this section) and to conduct research, surveys, or demonstrations," immediately before "relating to education for mentally retarded," and by striking out "for research or demonstration projects". 77 Stat. 295. 79 Stat. 429. 20 USC 618.

(b) The second sentence of such section 302(a) is amended by striking out "Such grants shall be made" and inserting in lieu thereof "Payments pursuant to grants or contracts under this section may be made".

PART F—AMENDMENTS TO TITLE VII OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

TECHNICAL ASSISTANCE TO RURAL AREAS

SEC. 171. (a) Section 706 of the Elementary and Secondary Education Act of 1965 is amended by redesignating subsection (b) as subsection (c) and by inserting before such subsection a new subsection as follows: 80 Stat. 1209. 20 USC 886.

"(b) For such purpose and also for the purpose of carrying out more effectively other provisions of Federal law, the Commissioner, upon request from a State educational agency, shall provide counseling and technical assistance to elementary and secondary schools in rural areas, as defined by the Commissioner, of such State (1) in determining benefits available to such agencies and schools under Federal laws, and (2) in preparing applications and meeting other requirements for such benefits. Assistance pursuant to this subsection may, in accordance with such request, be provided by personnel from the Office of Education or be provided in the form of grants in such amounts as may be necessary for such State educational agency to employ such personnel as may be necessary to provide such assistance."

81 Stat. 806.

80 *Ante*, p.5.

(b) Section 706 of such Act is amended in subsection (c), as redesignated by subsection (a), by striking out "and not to exceed $2,000,000 for the fiscal year ending June 30 1968" and inserting in lieu thereof "$3,500,000 for the fiscal year ending June 30, 1968, $3,700,000 for the fiscal year ending June 30, 1969, and $4,000,000 for the fiscal year ending June 30, 1970".

DEMONSTRATION PROJECTS TO PREVENT DROPOUTS

79 Stat. 55;
80 Stat. 1204.
20 USC 881-886.

SEC. 172. Title VII of the Elementary and Secondary Education Act of 1965 is amended by inserting at the end thereof a new section as follows:

"DROPOUT PREVENTION PROJECTS

"SEC. 707. (a) The Commissioner is authorized to arrange by contract grant, or otherwise, with local educational agencies for the carrying out by such agencies in schools which (1) are located in urban or rural areas, (2) have a high percentage of children from families with an income not exceeding the low-income factor, as defined in section 103(c), and (3) have a high percentage of such children who do not complete their education in elementary or secondary school, of demonstration projects involving the use of innovative methods, systems, materials, or programs which show promise of reducing the number of such children who do not complete their education in elementary and secondary schools.

"(b) The Commissioner shall approve arrangements pursuant to this section only on application by a local educational agency and upon his finding:

"(1) that the project will be carried out in one or more schools described in subsection (a);

"(2) that the applicant has analyzed the reasons for such children not completing their education and has designed a program to meet this problem;

"(3) that effective procedures, including objective measurements of educational achievements, will be adopted for evaluating at least annually the effectiveness of the project; and

"(4) that the project has been approved by the appropriate State educational agency.

"(c) There is authorized to be appropriated not to exceed $30,000,000 for the period ending June 30, 1969, and $30,000,000 for the fiscal year ending June 30, 1970, for the purpose of this section."

TITLE II—FEDERALLY AFFECTED AREAS

PART A—ASSISTANCE FOR SCHOOL CONSTRUCTION AND CURRENT EXPENDITURES IN IMPACTED AREAS

CLARIFYING DEFINITIONS OF "FEDERAL PROPERTY"

72 Stat. 556.

SEC. 201. Section 15(1) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), and section 303(1) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), are each amended by—

20 USC 645.
64 Stat. 1108;
79 Stat. 35.
20 USC 244.

(a) striking out the second sentence thereof;

(b) striking out "also" in the penultimate sentence thereof; and

(c) inserting immediately before the last sentence thereof the following new sentence: "Such term also includes any interest in Federal property (as defined in the foregoing provisions of this paragraph) under an easement, lease, license, permit, or other arrangement, as well as any improvements of any nature (other than pipelines or utility lines) on such property even though such interests or improvements are subject to taxation by a State or political subdivision of a State or by the District of Columbia."

81 Stat. 807.

EFFECTIVE DATE FOR CERTAIN 1966 AMENDMENTS

Sec. 202. The amendment made by section 204, and the amendment made by section 229, of the Elementary and Secondary Education Amendments of 1966 shall be effective only with respect to fiscal years beginning after June 30, 1969.

80 Stat. 1212, 1215.
20 USC 241, 640.

MODIFYING PROVISIONS RELATING TO SCHOOL CONSTRUCTION ASSISTANCE IN OTHER FEDERALLY AFFECTED AREAS

Sec. 203. (a) Subsection (a) of section 14 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress) is amended in the following respects:

72 Stat. 555.
20 USC 644.

(1) Paragraph (1) is amended by striking out "Federal property" and inserting in lieu thereof "Indian lands", and by inserting ", or that such Indian lands constitute a substantial part of the school district of such local educational agency," immediately after "such agency provides free public education".

(2) Paragraph (2) is amended by striking out "Federal property" and inserting in lieu thereof "Indian lands".

(3) Paragraph (4) is amended by striking out "in its school district" and inserting in lieu thereof "of a substantial percentage of the children in the membership of its schools".

(4) Such subsection (a) is further amended by—

(A) striking out "is attributable to children who reside on Federal property, and which" in the portion of the first sentence of subsection (a) which follows paragraph (4);

(B) striking out "in the case of any application for additional assistance on account of children who reside on Indian lands" in the second sentence of such subsection (a);

(C) striking out "subsection (c)" and inserting in lieu thereof "subsection (d)" in the third sentence of such subsection (a); and

(D) striking out "third" and inserting in lieu thereof "second" in the last sentence of such section (a).

(b) Section 14 of such Act, as amended by this section, is further amended by redesignating subsections (b), (c), (d), and

(e) as subsections (c), (d), (e), and (f), respectively, and by inserting immediately after subsection (a) the following new subsection (b):

"(b) If the Commissioner determines with respect to any local educational agency that—

"(1) such agency is providing or, upon completion of the school facilities for which provision is made herein, will provide free public education for children who reside on Indian lands, and whose membership in the schools of such agency has not formed and will not form the basis for payments under other provisions of this Act, and that the total number of such children represents a substantial percentage of the total number of children for whom such agency provides free public education, or that such Indian lands constitute a substantial part of the school district of such local educational agency, or that the total number of such children who reside on Indian lands located outside the school district of such agency equals or exceeds one hundred; and

"(2) the immunity of such Indian lands to taxation by such agency has created a substantial and continuing impairment of its ability to finance needed school facilities;

he may, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest, provide the additional assistance necessary to enable such agency to provide the minimum school facilities required for free public education of children in the membership of the schools of such agency who reside on Indian lands; but such additional assistance may not exceed the portion of the cost of constructing such facilities which the Commissioner estimates has not been, and is not to be, recovered by the local educational agency from other sources, including payments by the United States under any other provisions of this Act or any other law. Notwithstanding the provisions of this subsection, the Commissioner may waive the percentage requirement in paragraph (1) whenever, in his judgment, exceptional circumstances exist which make such action necessary to avoid inequity and avoid defeating the purposes of this section. Assistance may be furnished under this subsection without regard to paragraph (2) (but subject to the other provisions of this subsection and subsection (d) to any local educational agency which provides free public education for children who reside on Indian lands located outside its school district. For purposes of this subsection 'Indian lands' means Indian reservations or other real property referred to in the second sentence of section 15(1)."

72 Stat. 555.
20 USC 644.

(c) Subsection (d) of section 14 of such Act, as redesignated by subsection (b) of this section is amended by inserting "or (b)" immediately after "subsection (a)" each time it occurs in such subsection.

(d) Subsection (e) of section 14 of such Act, as redesignated by subsection (b) of this section, is amended by inserting "or (b)" immediately after "subsection (a)".

DELETING REQUIREMENT THAT CERTAIN CONTRIBUTIONS BE DEDUCTED

SEC. 204. (a)(1) Paragraph (3) of section 2(a) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out "(A) other Federal payments with respect to the property so acquired, or (B)".

64 Stat. 1100.
20 USC 237.

(2) Section 2(a) of such Act is further amended by striking out in the matter following paragraph (3) of such section the following: ", to the extent such agency is not compensated for such burden by other Federal payments with respect to the property so acquired".

(b) The last sentence of section 2(a) of such Act is amended by striking out ", minus the amount which in his judgment the local educational agency derived from other Federal payments with respect to the property so acquired and had available in such year for current expenditures".

(c) Subsection (b) of section 2 of such Act is amended to read as follows:

"(b) For the purposes of this section any real property with respect to which payments are being made under section 13 of the Tennessee Valley Authority Act of 1933, as amended, shall not be regarded as Federal property."

48 Stat. 58.
16 USC 831.

(d) Section 3 of such Act is amended by striking out subsection (e) thereof, including the heading of such subsection, and by redesignating subsection (f) of such section as subsection (e).

20 USC 238.
81 Stat. 809.

PROVISIONS FOR INTERNATIONAL BOUNDARY CHANGE

SEC. 205. (a) The last sentence of section 3(b) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by inserting before the period at the end thereof the following: "; but if, by reason of any other provision of law, this sentence is not considered in computing the amount to which any local educational agency is entitled for the fiscal year ending June 30, 1967, the additional amount to which such agency would have been entitled had this sentence been so considered, shall be added to such agency's entitlement for the first fiscal year for which funds appropriated to carry out this Act may be used for such purpose".

80 Stat. 1211.
20 USC 238.

(b) Section 5(a)(4) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by inserting before the period at the end thereof the following: "; but if, by reason of any other provision of law, this clause is not considered in computing the maximum payments a local educational agency may receive for the fiscal year ending June 30, 1967, the additional amount such agency would have been entitled to receive shall be added to such agency's entitlement for the first fiscal year for which funds appropriated to carry out this Act may be used for such purpose".

80 Stat. 1215.
20 USC 635.

REPEAL OF MANDATORY GROUP RATE PROVISIONS

74 Stat. 414.
20 USC 238.

SEC. 206. Effective for fiscal years beginning after June 30, 1967, subsection (d) of section 3 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as amended, is amended as follows:

(1) The first sentence is amended by inserting "and the local educational agency" following "the State educational agency".

(2) Clauses (1) and (2) of the first sentence are amended to read as follows:

> "(1) he shall determine which school districts within the State are in his judgment generally comparable to the school districts of the agency for which the computation is being made; and
>
> "(2) he shall then divide (A) the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which he is making the computation, which the local educational agencies of such comparable school districts made from revenues derived from local sources, by (B) the aggregate number of children in average daily attendance to whom such agencies provided free public education during such second preceding fiscal year."

(3) The third sentence is amended by striking out "If, in the judgment of the Commissioner, the current expenditures in the school districts within the generally comparable group as determined under clause (1)" and inserting in lieu thereof "If, in the judgment of the Commissioner, the current expenditures in those school districts which he has selected under clause (1)".

DISCRETION TO WAIVE CERTAIN REQUIREMENT

72 Stat. 550.
20 USC 635.

SEC. 207. Section 5(e) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended (1) by striking out "subsections (c) and (d)" and inserting in lieu thereof "subsections (c), (d), and (f)", and (2) by inserting before the period at the end thereof the following: "; or (3) he may waive or reduce the requirement contained in subsection (f)".

EFFECTIVE DATE

SEC. 208. The amendments made by sections 201, 203, 204, 205, 206, and 207 of this part shall be deemed to have been enacted prior to June 30, 1967, and shall be effective for fiscal years beginning thereafter.

81 Stat. 810.

PART B—ASSISTANCE FOR SCHOOL CONSTRUCTION AND CURRENT EXPENDITURES IN DISASTER AREAS

SCHOOL CONSTRUCTION ASSISTANCE

79 Stat. 1158.
20 USC 646.

SEC. 217. Section 16(a) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended to read as follows:

"SCHOOL CONSTRUCTION ASSISTANCE IN CASES OF CERTAIN DISASTERS

"SEC. 16. (a) In any case in which—

"(1)(A) the Director of the Office of Emergency Planning determines with respect to any local educational agency (including for the purpose of this section any other public agency which operates schools providing technical, vocational, or other special education to children of elementary or secondary school age) that such agency is located in whole or in part within an area which, after August 30, 1965, and prior to July 1, 1970, has suffered a major disaster as the result of any flood, drought fire, hurricane, earthquake, storm, or other catastrophe which, in the determination of the President pursuant to section 2(a) of the Act of September 30, 1950 (42 U.S.C. 1855a(a)), is or threatens to be of sufficient severity or magnitude to warrant disaster assistance by the Federal Government; or 64 Stat. 1109.

"(B) the Commissioner determines with respect to any such agency that public elementary or secondary school facilities (or, in the case of a public agency other than a local educational agency, school facilities providing technical, vocational, or other special education to children of elementary or secondary school age) of such agency have been destroyed or seriously damaged as a result of flood, hurricane, earthquake, storm, fire, or other catastrophe, except any such catastrophe caused by negligence or malicious action; and

"(2) the Governor of the State in which such agency is located has certified the need for disaster assistance under this section, and has given assurance of expenditure of a reasonable amount of the funds of the government of such State, or of any political subdivision thereof, for the same or similar purposes with respect to such catastrophe;

and if the Commissioner determines with respect to such agency that—

"(3) as a result of such major disaster, (A) public elementary or secondary school facilities of such agency (or, in the case of a public agency other than a local educational agency, school facilities providing technical, vocational, or other special education to children of elementary or secondary school age) have been destroyed or seriously damaged, or (B) private elementary or secondary school facilities serving children who reside in the area served by such agency have been destroyed and will not be replaced, thereby increasing the need of such agency for school facilities;

"(4) such agency is utilizing or will utilize all State and other financial assistance available for the replacement or restoration of such school facilities;

"(5) such agency does not have sufficient funds available to it from State, local, and other Federal sources (including funds available under other provisions of this Act), and from the proceeds of insurance on such school facilities, and requires an amount of additional assistance equal to at least $1,000 or one-half of 1 per centum of such agency's current operating expenditures during the fiscal year preceding the one in which such disaster occurred, whichever is less, to provide the minimum school facilities needed (A) for the restoration or replacement of the school facilities of such agency so destroyed or seriously damaged or (B) to serve, in facilities of such agency, children who but for the destruction of the private facilities referred to in clause (3)(B) would be served by such private facilities; and

81 Stat. 811.

"(6) in the case of any such major disaster, to the extent that the operation of private elementary and secondary schools in the school attendance area of the local educational agency has been disrupted or impaired by such disaster, such local educational agency has complied with the provisions of section 7(a)(4) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), with respect to provisions for the conduct of educational programs under public auspices and administration in which children enrolled in such private elementary and secondary schools may attend and participate.

the Commissioner may provide the additional assistance necessary to enable such agency to provide such facilities, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest; but such additional assistance, plus the amount which he determines to be available from State, local, and other Federal sources (including funds available under other provisions of this Act), and from the proceeds of insurance, may not exceed the cost of construction incident to the restoration or replacement of the school facilities destroyed or damaged as a result of the disaster. In all cases determined pursuant to clause (1)(B) of this subsection, and in any other case deemed appropriate by the Commissioner, such assistance shall be in the form of a repayable advance subject to such terms and conditions as he considers to be in the public interest."

CURRENT SCHOOL EXPENDITURES ASSISTANCE

SEC. 218. Section 7 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended to read as follows:

79 Stat. 1159.
20 USC 241-1.

"ASSISTANCE FOR CURRENT SCHOOL EXPENDITURES IN CASES OF CERTAIN DISASTERS

"SEC. 7. (a) In any case in which—

"(1)(A) the Director of the Office of Emergency Planning determines with respect to any local educational agency (including for the purpose of this section any other public agency which operates schools providing technical, vocational, or other special education to children of elementary or secondary school age) that such agency is located in whole or in part within an area which after August 30, 1965, and prior to July 1, 1970, has suffered a major disaster as the result of any flood, drought, fire, hurricane, earthquake, storm, or other catastrophe which, in the determination of the President pursuant to section 2(a) of the Act of September 30, 1950 (42 U.S.C. 1855a(a)), is or threatens to be of sufficient severity or magnitude to warrant disaster assistance by the Federal Government; or 64 Stat. 1109.

"(B) the Commissioner determines with respect to any such agency that public elementary or secondary school facilities of such agency have been destroyed or seriously damaged as a result of flood, hurricane, earthquake, storm, fire, or other catastrophe, except any such catastrophe caused by negligence or malicious action; and

"(2) the Governor of the State in which such agency is located has certified the need for disaster assistance under this section, and has given assurance of expenditure of a reasonable amount of the funds of the government of such State, or of any political subdivision thereof, for the same or similar purposes with respect to such catastrophe; 81 Stat. 812.

and if the Commissioner determines with respect to such agency that—

"(3) such agency is utilizing or will utilize all State and other financial assistance available to it for the purpose of meeting the cost of providing free public education for the children attending the schools of such agency, but as a result of such disaster it is unable to obtain sufficient funds for such purpose and requires an amount of additional assistance equal to at least $1,000 or one-half of 1 per centum of such agency's current operating expenditures during the fiscal year preceding the one in which such disaster occurred, whichever is less, and

"(4) in the case of any such major disaster to the extent that the operation of private elementary and secondary schools in the school attendance area of such local educational agency has been disrupted or impaired by such disaster, such local educational agency has made provisions for the conduct of educational programs under public auspices and administration in which children enrolled in such private elementary and secondary schools may attend and participate: *Provided*, That nothing contained in this Act shall be construed to authorize the making of any payment under this Act for religious worship or instruction.

the Commissioner may provide to such agency the additional assistance necessary to provide free public education to the children attending the schools of such agency, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest. Such additional assistance may be provided for a period not greater than a five-fiscal-year period beginnning with the fiscal year in which it is determined pursuant to clause (1) of this subsection that such agency suffered a disaster. The amount so provided for any fiscal year shall not exceed the amount which the Commissioner determines to be necessary to enable such agency, with the State, local, and other Federal funds available to it for such purpose, to provide a level of education equivalent to that maintained in the schools of such agency prior to the occurrence of such disaster, taking into account the additional costs reasonably necessary to carry out the provisions of clause (4) of this subsection. The amount, if any, so provided for the second, third, and fourth fiscal years following the fiscal year in which it is so determined that such agency has suffered a disaster shall not exceed 75 per centum, 50 per centum, and 25 per centum, respectively, of the amount so provide for the first fiscal year following such determination.

"(b) In addition to and apart from the funds provided under subsection (a), the Commissioner is authorized to provide to such agency an amount which he determines to be necessary to replace instructional and maintenance supplies, equipment, and materials (including textbooks) destroyed or seriously damaged as a result of such disaster, to make minor repairs, and to lease or otherwise provide (other than by acquisition of land or erection of facilities) school and cafeteria facilities needed to replace temporarily such facilities which have been made unavailable as a result of the disaster.

"(c) There is hereby authorized to be appropriated for each fiscal year such amounts as may be necessary to carry out the provisions of this section. Pending such appropriation, the Commissioner may expend (without regard to subsections (a) and (e) of section 3679 of the Revised Statutes (31 U.S.C. 665)) from any funds heretofore or hereafter appropriated for expenditure in accordance with other sections of this Act, such sums as may be necessary for immediately providing assistance under this section, such appropriations to be reimbursed from the appropriations authorized by this subsection when made.

81 Stat. 813.

"(d) No payment may be made to any local educational agency under this section except upon application therefor which is submitted through the appropriate State educational agency and is filed with the Commissioner in accordance with the regulations prescribed by him. In determining the order in which such applications shall be approved, the Commissioner shall consider the relative educational and financial needs of the local educational agencies which have submitted approvable applications.

"(e) Amounts paid by the Commissioner to local educational agencies under this section may be paid in advance or by way of reimbursement and in such installments as the Commissioner may determine. Any funds paid to a local educational agency and not expended or otherwise used for the purposes for which paid shall be repaid to the Treasury of the United States."

TITLE III—DURATION OF AND AUTHORIZATION FOR PROGRAMS

EXTENSION OF CERTAIN PROGRAMS UNDER ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 AND PUBLIC LAWS 815 AND 874, EIGHTY-FIRST CONGRESS

SEC. 301 (a) Section 102 of title I of the Elementary and Secondary Education Act of 1965 (as redesignated by section

110 of this Act) is amended by striking out "June 30, 1968" and inserting in lieu thereof "June 30, 1970".

Ante, p. 787.

(b)(1) Section 201(a) of the Elementary and Secondary Education Act of 1965 is amended by striking out "during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years,".

(2) Section 201(b) of such Act is amended by striking out "and $150,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law" and inserting in lieu thereof "$150,000,000 for the fiscal year ending June 30, 1968, $162,500,000 for the fiscal year ending June 30, 1969, and $200,000,000 for the fiscal year ending June 30, 1970".

79 Stat. 36.
20 USC 821.
80 Stat. 1199.
02 USC 821.

(c)(1) Section 601 of such Act (as redesignated by section 152 of this Act) is amended by striking out "during the fiscal year ending June 30, 1967, and the succeeding fiscal year,".

Ante, p. 803.

(2) Section 602 of such Act (as redesignated by section 152 of this Act) is amended by striking out "and $150,000,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof the following: "$150,000,000 for the fiscal year ending June 30, 1968, $162,500,000 for the fiscal year ending June 30, 1969, and $200,000,000 for the fiscal year ending June 30, 1970".

(d)(1) Section 3 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by striking out "June 30, 1967" and inserting in lieu thereof "June 30, 1970".

72 Stat. 548.
20 USC 633.

(2) Section 15(15) of such Act is amended by striking out "1962–1963" and inserting in lieu thereof "1965–1966".

80 Stat. 1213.
20 USC 645.

(e) Sections 2(a), 3(b), and 4(a) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), are each amended by striking out "1968" wherever it occurs and inserting in lieu thereof "1970".

79 Stat. 36.
20 USC 237.

TITLE IV—PROVISIONS FOR ADEQUATE LEADTIME AND FOR PLANNING AND EVALUATION IN ELEMENTARY AND SECONDARY EDUCATION PROGRAMS

81 Stat. 814.

ACTS SUBJECT TO THIS TITLE

SEC. 401. The provisions of this title shall apply to title I of the Elementary and Secondary Education Act of 1965 (title II of Public Law 81–874), titles II, III, V, VI, VII, and VIII of the Elementary and Secondary Education Act of 1965, and the Adult Education Act of 1966 (title III of the Elementary and Secondary Education Amendments of 1966), as now in effect or hereafter from time to time amended.

79 Stat. 27.
20 USC 241a note.
20 USC 821,
Ante, p. 788.
20 USC 861, 871, 881,
post, p. 816.
80 Stat. 1216.
20 USC 1201 note.

PROGRAM PLANNING AND EVALUATION

SEC. 402. There are authorized to be appropriated, for each fiscal year for which appropriations are otherwise authorized under any title or Act referred to in section 401, such sums as may be necessary, to be available to the Secretary, in accordance with regulations prescribed by him, for expenses, including grants, contracts, or other payments, for (1) planning for the succeeding year programs or projects authorized under such title or Act and (2) evaluation of programs or projects so authorized.

ADVANCE FUNDING

Sec. 403. To the end of affording the responsible State, local, and Federal officers concerned adequate notice of available Federal financial assistance for education, appropriations for grants, contracts, or other payments under any Act referred to in section 401 are authorized to be included in the appropriation Act for the fiscal year preceding the fiscal year for which they are available for obligation. In order to effect a transition to this method of timing appropriation action, the preceding sentence shall apply notwithstanding that its initial application under any such Act will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.

EVALUATION REPORTS AND CONGRESSIONAL REVIEW

Sec. 404. (a) No later than January 31 of each calendar year, the Secretary shall transmit to the respective committees of the Congress having legislative jurisdiction over any Act referred to in section 401 and to the respective Committees on Appropriations a report evaluating the results and effectiveness of programs and projects assisted thereunder during the preceding fiscal year, together with his recommendations (including any legislative recommendations) relating thereto.

(b) In the case of any such program, the report submitted in the penultimate fiscal year for which appropriations are then authorized to be made for such program shall include a comprehensive and detailed review and evaluation of such program (as up to date as the due date permits) for its entire past life, based to the maximum extent practicable on objective measurements, together with the Secretary's recommendations as to proposed legislative action.

81 Stat. 815

AVAILABILITY OF APPROPRIATIONS ON ACADEMIC OR SCHOOL YEAR BASIS

Sec. 405. Appropriations for any fiscal year for grants, contracts, or other payments to educational agencies or institutions under any Act referred to in section 401 may, in accordance with regulations of the Secretary, be made available for expenditure by the agency or institution concerned on the basis of an academic or school year differing from such fiscal year.

TITLE V—EXTENSION OF ADULT EDUCATION PROGRAM

REVISION OF ALLOTMENTS

80 Stat. 1217.
20 USC 1204.

Sec. 501. The first sentence of section 305(a) of the Adult Education Act of 1966 (title III of Public Law 89–750) is amended to read as follows: "From the sums available for purposes of section 304(b) for any fiscal year, the Commissioner shall allot (1) not more than 2 per centum thereof among Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands according to their respective needs for assistance under such section, and (2) $100,000 to each State."

INCLUDING PRIVATE NONPROFIT AGENCIES

20 USC 1203.

Sec. 502. (a) Section 304(b) of the Adult Education Act of 1966 is amended by striking out the period at the end thereof and inserting in lieu thereof the following: "and private nonprofit agencies."

20 USC 1205.

(b) Section 306(a)(7) of such Act is amended by inserting immediately after "local educational agencies" the following: "and private nonprofit agencies".

FEDERAL SHARE

20 USC 1206.

Sec. 503. The second sentence of section 307(a) of the Adult Education Act of 1966 is amended to read as follows: "For the fiscal year ending June 30, 1967, and succeeding fiscal years, the Federal share for each State shall be 90 per centum, except that with respect to the Trust Territory of the Pacific Islands such Federal share shall be 100 per centum.

AUTHORIZATION EXTENDED

20 USC 1213.

Sec. 504. Section 314 of the Adult Education Act of 1966 is amended by striking out "and" before "$60,000,000" and by inserting the following after "June 30, 1968,": "$70,000,000 for the fiscal year ending June 30, 1969, and $80,000,000 for the fiscal year ending June 30, 1970,".

TITLE VI—STUDY FOR SCHOOLBUS SAFETY

STUDY FOR SCHOOLBUS SAFETY

Sec. 601. (a) The Secretary of Health, Education, and Welfare, in cooperation with the Secretary of Transportation, is authorized to make a study and investigation in order to recommend action to promote schoolbus safety (including safety of operation), and such study may include such research and testing activities as the Secretary determines to be necessary to carry out the provisions of this title.

Report to Congress.

(b) The Secretary of Health, Education, and Welfare shall report the results of such study, together with his recommendations, to the Congress not later than January 31, 1969.

81 Stat. 816.

APPROPRIATIONS AUTHORIZED

Sec. 602. There is hereby authorized to be appropriated $150,000 to carry out the provisions of this title.

TITLE VII—BILINGUAL EDUCATION PROGRAMS

FINDINGS OF CONGRESS

Sec. 701. The Congress hereby finds that one of the most acute educational problems in the United States is that which involves millions of children of limited English-speaking ability because they come from environments where the dominant language is other than English; that additional efforts should be made to supplement present attempts to find adequate and constructive solutions to this unique and perplexing educational situation; and that the urgent need is for comprehensive and cooperative action now on the local, State, and Federal levels to develop forward-looking approaches to meet the serious learning difficulties faced by this substantial segment of the Nation's school-age population.

AMENDMENT TO ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

79 Stat. 55;
80 Stat. 1204.
20 USC 881-886.

Sec. 702. The Elementary and Secondary Education Act of 1965 is amended by redesignating title VII as title VIII, by redesignating sections 701 through 707 and references thereto as sections 801 through 807, respectively, and by inserting after title VI the following new title:

"TITLE VII—BILINGUAL EDUCATION PROGRAMS

"SHORT TITLE

"Sec. 701. This title may be cited as the 'Bilingual Education Act'.

"DECLARATION OF POLICY

"Sec. 702. In recognition of the special educational needs of the large numbers of children of limited English-speaking ability in the United States, Congress hereby declares it to be the policy of the United States to provide financial assistance to local educational agencies to develop and carry out new and imaginative elementary and secondary school programs designed to meet these special educational needs. For the purposes of this title, 'children of limited English-speaking ability' means children who come from environments where the dominant language is other than English.

"AUTHORIZATION AND DISTRIBUTION OF FUNDS

"Sec. 703. (a) For the purposes of making grants under this title, there is authorized to be appropriated the sum of $15,000,000 for the fiscal year ending June 30, 1968, $30,000,000 for the fiscal year ending June 30, 1969, and $40,000,000 for the fiscal year ending June 30, 1970.

"(b) In determining distribution of funds under this title, the Commissioner shall give highest priority to States and areas within States having the greatest need for programs pursuant to this title. Such priorities shall take into consideration the number of children of limited English-speaking ability between the ages of three and eighteen in each State.

81 Stat. 817.

"USES OF FEDERAL FUNDS

"Sec. 704. Grants under this title may be used, in accordance with applications approved under section 705, for—

"(a) planning for and taking other steps leading to the development of programs designed to meet the special educational needs of children of limited English-speaking ability in schools having a high concentration of such children from families (A) with incomes below $3,000 per year, or (B) receiving payments under a program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, including research projects, pilot projects designed to test the effectiveness of plans so developed, and the development and dissemination of special instructional materials for use in bilingual education programs; and

42 USC 401-428.

"(b) providing preservice training designed to prepare persons to participate in bilingual education programs as teachers, teacher-aides, or other ancillary education personnel such as counselors, and inservice training and development programs designed to enable such persons to continue to improve their qualifications while participating in such programs; and

"(c) the establishment, maintenance, and operation of programs, including acquisition of necessary teaching materials and equipment, designed to meet the special educational needs of children of limited English-speaking ability in schools having a high concentration of such children from families (A) with incomes below $3,000 per year, or (B) receiving payments under a program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, through activities such as—

"(1) bilingual education programs;

"(2) programs designed to impart to students a knowledge of the history and culture associated with their languages;

"(3) efforts to establish closer cooperation between the school and the home;

"(4) early childhood educational programs related to the purposes of this title and designed to improve the potential for profitable learning activities by children;

"(5) adult education programs related to the purposes of this title, particularly for parents of children participating in bilingual programs;

"(6) programs designed for dropouts or potential dropouts having need of bilingual programs;

"(7) programs conducted by accredited trade, vocational or technical schools; and

"(8) other activities which meet the purposes of this title.

"APPLICATIONS FOR GRANTS AND CONDITIONS FOR APPROVAL

"SEC. 705. (a) A grant under this title may be made to a local educational agency or agencies, or to an institution of higher education applying jointly with a local educational agency, upon application to the Commissioner at such time or times, in such manner and containing or accompanied by such information as the Commissioner deems necessary. Such application shall—

"(1) provide that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

"(2) set forth a program for carrying out the purpose set forth in section 704 and provide for such methods of administration as are necessary for the proper and efficient operation of the program;

81 Stat. 817.
81 Stat. 818.

"(3) set forth a program of such size, scope, and design as will make a substantial step toward achieving the purpose of this title;

"(4) set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practicable, increase the level of funds (including funds made available under title I of this Act) that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in section 704, and in no case supplant such funds;

79 Stat. 27;
80 Stat. 1198.
20 USC 241a note.

"(5) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title;

"(6) provide for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the area served, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports;

"(7) provide assurance that provision has been made for the participation in the project of those children of limited English-speaking ability who are not enrolled on a full-time basis; and

"(8) provide that the applicant will utilize in programs assisted pursuant to this title the assistance of persons with expertise in the educational problems of children of limited

English-speaking ability and make optimum use in such programs of the cultural and educational resources of the area to be served; and for the purposes of this paragraph, the term 'cultural and educational resources' includes State educational agencies, institutions of higher education, nonprofit private schools, public and nonprofit private schools, public and nonprofit private agencies such as libraries, museums, musical and artistic organizations, educational radio and television, and other cultural and educational resources.

"(b) Applications for grants under title may be approved by the Commissioner only if—

"(1) the application meets the requirements set forth in subsection (a);

"(2) the program set forth in the application is consistent with criteria established by the Commissioner (where feasible, in cooperation with the State educational agency) for the purpose of achieving an equitable distribution of assistance under this title within each State, which criteria shall be developed by him on the basis of a consideration of (A) the geographic distribution of children of limited English-speaking ability, (B) the relative need of persons in different geographic areas within the State for the kinds of services and activities described in paragraph (c) of section 704, and (C) the relative ability of particular local educational agencies within the State to provide those services and activities;

"(3) the Commissioner determines (A) that the program will utilize the best available talents and resources and will substantially increase the educational opportunities for children of limited English-speaking ability in the area to be served by the applicant, and (B) that, to the extent consistent with the number of children enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which this program is intended to meet, provision has been made for participation of such children; and

81 Stat. 818.
81 Stat. 819.

"(4) the State educational agency has been notified of the application and been given the opportunity to offer recommendations.

"(c) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulations, be subject to approval in the same manner as original applications.

"PAYMENTS

"SEC. 706. (a) The Commissioner shall pay to each applicant which has an application approved under this title an amount equal to the total sums expended by the applicant under the application for the purposes set forth therein.

"(b) Payments under this title may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"ADVISORY COMMITTEE

"SEC. 707. (a) The Commissioner shall establish in the Office of Education an Advisory Committee on the Education of Bilingual Children, consisting of nine members appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary. The Commissioner shall appoint one such member as Chairman. At least four of the members of the Advisory Committee shall be educators experienced in dealing with the educational problems of children whose native tongue is a language other than English.

"(b) The Advisory Committee shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including the development of criteria for approval of applications thereunder. The Commissioner may appoint such special advisory and technical experts and consultants as may be useful and necessary in carrying out the functions of the Advisory Committee.

Members. Compensation; travel expenses.

"(c) Members of the Advisory Committee shall, while serving on the business of the Advisory Committee, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

80 Stat. 499.

"LABOR STANDARDS

"SEC. 708. All laborers and mechanics employed by contractors or subcontractors on all minor remodeling projects assisted under this title shall be paid wages at rates not less than those prevailing on similar minor remodeling in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have, with respect to the labor standards specified in this section, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c)."

49 Stat. 1011; 78 Stat. 238.

64 Stat. 1267.

63 Stat. 108.

CONFORMING AMENDMENTS

Ante, p. 816. 81 Stat. 819.

SEC. 703. (a) That part of section 801 (as so redesignated by section 702 of this Act) of the Elementary and Secondary Education Act of 1965 which precedes clause (a) is amended by striking out "and VI" and inserting in lieu thereof "VI and VII".

81 Stat. 820.

(b) Clause (j) of such section 801 as amended by this Act is further amended by striking out "and VI" and inserting in lieu thereof "VI, and VII".

AMENDMENTS TO TITLE V OF THE HIGHER EDUCATION ACT OF 1965

SEC. 704. (a) The third sentence of section 521 of the Educations Professions Development Act (title V of the Higher Education Act of 1965) is amended (1) effective for the fiscal year ending June 30, 1968 only, by inserting after “a career of teaching in elementary or secondary schools” a new phrase as follows: “, a career of teaching children of limited English-speaking ability”, and (2) effective with respect to subsequent fiscal years, by inserting “, and including teaching children of limited English-speaking ability” after “including teaching in preschool and adult and vocational education programs”.

79 Stat. 1258.
20 USC 1111.
Ante, p. 93.

(b) Effective for the fiscal year ending June 30, 1968, only, section 522(a) of such Act is amended by striking out “ten thousand fellowships for the fiscal year ending June 30, 1968” and inserting in lieu thereof “eleven thousand fellowships for the fiscal year ending June 30, 1968”.

20 USC 1112.

(c)(1) Section 528 of such Act is amended, effective with respect to fiscal years ending after June 30, 1967, by striking out ‘$275,000,000” and inserting in lieu thereof “$285,000,000”; striking out “$195,000,000” and inserting in lieu thereof “$205,000,000”; striking out “$240,000,000” and inserting in lieu thereof “$250,000,000”; and striking out “July 1, 1968” and inserting in lieu thereof “July 1, 1970”.

20 USC 1118.

(2) The amendments made by this subsection shall, notwithstanding section 9(a) of Public Law 90–35, be effective with regard to fiscal years beginning after June 30, 1967.

Ante, p. 94.

(d) Section 531(b) of such Act is amended by redesignating clauses (8) and (9) thereof as clauses (9) and (10), respectively, and by inserting immediately after clause (7) the following new clause:

Ante, p. 92.

> “(8) programs or projects to train or retrain persons engaging in special educational programs for children of limited English-speaking ability;”.

AMENDMENTS TO TITLE XI OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958

SEC. 705. (a) Section 1101 of the National Defense Education Act of 1958 is amended by striking out “and for each of the two succeeding fiscal years” and inserting in lieu thereof “and for the succeeding fiscal year, and $51,000,000 for the fiscal year ending June 30, 1968”.

78 Stat. 1107;
79 Stat. 1254.
20 USC 591.

(b) Such section is further amended by striking out the period at the end of clause (3) and inserting in lieu thereof a comma and the word “or”, and by inserting after such clause a new clause as follows:

79 Stat. 1228.

> “(4) who are engaged in or preparing to engage in special educational programs for children of limited English-speaking ability.”

AMENDMENTS TO COOPERATIVE RESEARCH ACT

81 Stat. 820.

SEC. 706. Subsections (a) and (b) of section 2 of the Cooperative Research Act are each amended by inserting “and title VII” after “section 503(a)(4)”.

68 Stat. 533;
79 Stat. 44.
20 USC 331 note.

CHAPTER III. BILLS REPORTED FROM OTHER COMMITTEES OF THE SENATE

Ninetieth Congress, first session, 1967, enactments concerning education and training which, in the earlier form of bills, were reported from committees of the Senate other than the Committee on Labor and Public Welfare included the following—in chronological order of approval by the President.[1]

1. SECOND SUPPLEMENTAL APPROPRIATION ACT, 1967

(Public Law 90-21, approved May 29, 1967)

NOTE.—The First Supplemental Appropriation Act, 1967, was approved on Oct. 27, 1966, and is included in a publication by the Committee on Labor and Public Welfare entitled "Enactments by the 89th Congress Concerning Education and Training, Second Session, 1966".)

A. LEGISLATIVE HISTORY

Hearings on Second Supplemental Appropriation Bill were held before subcommittees of the House Committee on Appropriations intermittently in March and April 1967. Hearings on Second Supplemental Appropriations, Fiscal Year 1967, were held before the Senate Committee on Appropriations intermittently in May 1967.

H.R. 9481, the Second Supplemental Appropriation Act, 1967 was introduced on April 28, 1967, by Representative George H. Mahon, of Texas. The bill was referred to the Committee on Appropriations. H.R. 9481 was reported in the House on April 28, 1967 (H. Rept. 217). It passed the House on May 3, 1967. It was reported in the Senate, from the Committee on Appropriations, on May 17, 1967 (S. Rept. 237). It passed the Senate, amended, and the Senate asked for a conference on May 19, 1967. The House agreed to a conference on May 23, 1967. The conference report was filed on May 24, 1967 (H. Rept. 301). The House concurred in Senate amendments with amendments, and the Senate concurred in House amendments, on May 25, 1967. The act was approved on May 29, 1967, and became Public Law 90-21.

B. SUMMARY OF APPROPRIATIONS AFFECTING EDUCATION AND TRAINING

Public Law 90-21 makes a number of appropriations which affect education or training or may be used in whole or in part for educational and training purposes. However, the funds made available for such purposes are not in all instances separately identifiable in this act. Following is a list of some of the appropriations which affect education and training or may be used wholly or partly for such.

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[1] The only appropriation acts included in this report are those providing specific amounts for the fiscal years 1967 and 1968 for some of the larger programs concerning or affecting education or training. All of the executive departments and almost all other agencies of the Federal Government administer some educational or training programs. However, funds made available to a department or other agency for educational or training purposes are often included in appropriations for broader activities and are not separately identified in appropriation acts.

National Science Foundation—not to exceed $1 million granted in the Independent Offices Appropriation Act made available to carry out the National Sea Grant College and Program Act.

Department of Health, Education and Welfare:	
Office of Education:	
Salaries and expenses	$740,000
National Teacher Corps	3,823,700
Educational improvement for the handicapped	2,475,000
Aid for school construction	30,000,000
Higher education facilities construction	2,122,775
Civil rights educational activities	28,000
Vocational Rehabilitation Administration:	
Services and facilities	14,500,000
Public Health Service:	
Manpower education and utilization	500,000
Health professions education fund	10,000,000
Nurse training fund	2,000,000
Department of Commerce:	
Maritime Administration: Maritime training	88,900
Department of Transportation:	
Coast Guard: Reserve training	446,000
District of Columbia:	
Education	5,082,000

C. Text of Provisions Affecting Education and Training

Following is the text of certain provisions of Public Law 90–21 affecting education and training.

81 Stat. 30.

AN ACT Making supplemental appropriations for the fiscal year ending June 30, 1967, and for other purposes.

Second Supplemental Appropriation Act, 1967.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Second Supplemental Appropriation Act, 1967") for the fiscal year ending June 30, 1967, and for other purposes, namely:

TITLE I

* * * * *

CHAPTER V

FUNDS APPROPRIATED TO THE PRESIDENT

* * * * *

National Science Foundation

SALARIES AND EXPENSES

Not to exceed $1,000,000 of the appropriation granted under this head in the Independent Offices Appropriation Act, 1967, 80 Stat. 676.

shall be available for expenses necessary to carry out the provisions of the National Sea Grant College and Program Act of 1966 (80 Stat. 998).

33 USC 1121 note.

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CHAPTER VII

* * * * *

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

* * * * *

OFFICE OF EDUCATION

NATIONAL TEACHER CORPS

For an additional amount for "National Teacher Corps", $3,823,700: *Provided*, That none of the funds appropriated in this paragraph for training purposes shall be available until the authorization to pay teachers in fiscal year 1968 is enacted into law.

EDUCATIONAL IMPROVEMENT FOR THE HANDICAPPED

For an additional amount for "Educational improvement for the handicapped", for planning grants to States under title VI of the Elementary and Secondary Education Act of 1965, as amended (20 U.S.C. 871–880), and not to exceed $50,000 for salaries and expenses in connection therewith, $2,475,000: *Provided*, That the allotments for each of the States, Puerto Rico, and the District of Columbia shall not be less than $20,000, and the allotments for each of the territories of Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall be not less than $10,000.

80 Stat. 1204.
81 Stat. 36.

ASSISTANCE FOR SCHOOL CONSTRUCTION

For an additional amount for "Assistance for school construction", $30,000,000, as authorized by Public Law 815, 81st Congress, as amended.

72 Stat. 548.
20 USC 631-645.

HIGHER EDUCATION FACILITIES CONSTRUCTION

For an additional amount for "Higher education facilities construction", $2,122,775, for payments under section 408 of the Higher Education Facilities Act of 1963, as amended: *Provided*, That the Federal contribution shall not exceed 50 per centum of the eligible costs: *Provided further*, That section 408(a) of such Act is amended by inserting after the parenthetical phrase "(subject to the provisions of this section)" the following ", but not to exceed one-half of the costs of such restoration or replacement,".

80 Stat. 1318.
20 USC 758.

VOCATIONAL REHABILITATION ADMINISTRATION

GRANTS FOR REHABILITATION SERVICES AND FACILITIES

79 Stat. 1282.
29 USC 32.
29 USC 33.

For an additional amount for "Grants for rehabilitation services and facilities", for grants to States for vocational rehabilitation services under section 2 of the Vocational Rehabilitation Act, as amended, $14,500,000: *Provided.* That $500,000 of the amount heretofore appropriated for the current fiscal year for innovation project grants under section 3 of said Act shall be available for the purposes of grants under section 2 of said Act: *Provided,* That an additional allotment, not exceeding $100,000, for grants under section 2 of said Act may be made, in accordance with regulations of the Secretary, to the District of Columbia for vocational rehabilitation services to handicapped individuals.

PUBLIC HEALTH SERVICE

HEALTH MANPOWER EDUCATION AND UTILIZATION

80 Stat. 1236.
42 USC 298c.

To carry out section 861 of the Public Health Service Act, $500,000, to remain available until June 30, 1968.

80 Stat. 1222, 1236.
42 USC 295h-295h-5, 298c-298c-8.

Grants and payments for the next succeeding fiscal year: For making, after March 31 of the current fiscal year, grants and payments under part G of title VII and part D of title VIII of the Act for the first quarter of the next succeeding fiscal year, such sums as may be necessary, and the obligations incurred and expenditures made hereunder shall be charged to the appropriation for that purpose for such fiscal year: *Provided,* That such payment pursuant to this paragraph may not exceed 50 per centum of the amount authorized in such part G of title VII and part D of title VIII for these purposes for the next succeeding fiscal year.

HEALTH PROFESSIONS EDUCATION FUND

80 Stat. 1231.
42 USC 294d.

For the health professions education funds, as authorized by section 744(d) of the Public Health Service Act, $10,000,000, to remain available until expended.

81 Stat. 37.

NURSE TRAINING FUND

80 Stat. 1234.
42 USC 297f.

For the nurse training fund, as authorized by section 827(d) of the Public Health Service Act, $2,000,000, to remain available until expended.

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TITLE II

81 Stat. 43.

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DEPARTMENT OF AGRICULTURE

* * * * *

Extension Service: "Cooperative extension work, payments and expenses": Of the amount made available under this head in the Department of Agriculture and Related Agencies Appropriation Act, 1967, for "Payments to States and Puerto Rico" $74,000 shall be transferred to the subappropriation for "Federal extension service"; 80 Stat. 691.

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DEPARTMENT OF COMMERCE

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Maritime Administration: "Maritime training", $88,900, to be derived by transfer from the appropriation for "Salaries and expenses", Maritime Administration, fiscal year 1967;

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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education:
"Salaries and expenses", $740,000;
"Civil rights educational activities", $28,000;

* * * * *

DEPARTMENT OF TRANSPORTATION

Coast Guard:

* * * * *

"Reserve training", $466, 000;

* * * * *

DISTRICT OF COLUMBIA

(Out of District of Columbia funds)

"Education", $5,082,000;

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2. UNIVERSAL MILITARY TRAINING AND SERVICE ACT AMENDMENTS

(Public Law 90-40, approved June 30, 1967)

A. LEGISLATIVE HISTORY

S. 1432, a bill to amend the Universal Military Training and Service Act, was introduced on April 5, 1967, by Senators Richard B. Russell, of Georgia, and Margaret Chase Smith, of Maine. The bill was referred to the Committee on Armed Services.

Hearings on amending and extending the Universal Military Training and Service Act were held before the Senate Committee on Armed Services on April 12, 13, 14, 17, 18 and 19, 1967, and before the House Committee on Armed Services on May 2, 3, 4, 5, 9, 10 and 11, 1967.

S. 1432 was reported in the Senate on May 4, 1967 (S. Rept. 209). It passed the Senate on May 11, 1967. It was referred to the (House) Committee on Armed Services on May 15, 1967, and was reported from that committee on May 17, 1967 (H. Rept. 267). It passed the House, amended, on May 25, 1967, and on the same date the House asked for a conference. On June 5, 1967, the Senate agreed to a conference. The conference report was filed on June 8, 1967 (H. Rept. 346). The Senate agreed to the conference report on June 14, 1967. The House agreed to the conference report on June 20, 1967. The act was approved by the President on June 30, 1967, and became Public Law 90-40.

B. Digest of the Act

Public Law 90-40, as a whole, is concerned with *training*, as well as service, in the Armed Forces. Following is a digest of the act with special reference to its provisions for deferment of college students.

The act revises the Universal Military *Training* and Service Act as follows: (1) extends for a period of 4 years, from July 1, 1967, through July 1, 1971, the following provisions of the law: (a) the authority to induct persons into the Armed Forces, (b) the authority to issue selective service calls for physicians, dentists and allied specialists, (c) the suspension of permanent limitations on the active duty strength of the Armed Forces, (d) the authority to pay a quarters allowance to all enlisted members of the Armed Forces who have dependents, irrespective of the rank of these members, if the dependents are not furnished Government quarters, and (e) the authority for special pay to physicians, dentists and veterinarians; (2) changes the title of the draft act from the Universal Military *Training* and Service Act to the Military Selective Service Act of 1967; (3) requires the National Security Council to identify those professional, scientific, and critical skill areas in which individuals so engaged are required to be deferred from military service in the national interest; (4) provides that a registrant who prolongs litigation of his draft classification beyond the age of 26 would nonetheless remain liable for induction if he is later found qualified for induction; (5) prohibits the President from effecting any substantial change in the existing system of establishing the relative order of priority in the induction of registrants within specific age groups without the enactment of new statutory authority by Congress; (6) provides a method for maintaining the authorized strengths of the Reserve components and the National Guard; (7) permits the special induction of alien physicians and dentists until they become 35 years of age; (8) establishes a limitation on the exemption of certain Public Health Service officers from possible military service; (9) *establishes broad and uniform guidelines for future undergraduate college student deferments, together with language which will require their exposure to possible induction after they either leave school, receive their baccalaureate degree, or attain age 24, whichever is the earlier;* (10) provides language permitting the President to recommend criteria for the classification of persons subject to induction and, if he determines that such action is in the national interest, to recommend that such criteria be administered uniformly throughout the United States whenever practicable; (11) revises the language relating to conscientious objectors so as to insure that all such registrants would be required, if selected for induction, to perform 2 years of service; (12) establishes the position of Deputy Director of Selective Service for Public Affairs in order to insure that both the Congress and the general public will be better informed on the administration and operation of the Selective Service Act; (13) permits Reserve officers not on active duty to serve as Government appeal agents so as to insure their availability when required by either registrants and/or local boards; (14) prohibits individuals to serve on local or appeal boards after they have completed 25 years of service or attained age 75 (this change also permits the appointment of women to these positions); (15) reenunciates the principle already in existing law that the courts cannot review the classification action of the Selective Service System until after a registrant has been ordered to report for induction and has responded either affirmatively or negatively to such an order; (16) provides that the position of chief clerk shall in the future be identified as the executive secretary and the term of employment of such executive secretary shall normally not exceed 10 years; (17) establishes a requirement that the Director of Selective Service submit periodic reports to the Congress, at least quarterly, on the operations of the Selective Service System; (18) expedites judicial review of criminal proceedings arising out of section 12 of the draft act by requiring that such cases be given precedence by the court to which referred; (19) requires that the Department of Justice institute, as expeditiously as possible, prosecution and judicial proceedings involving violations of the draft act in instances in which a specific request for such action has been made by the Director of Selective Service and in the absence of such action by the Attorney General, he be required to submit a complete report to the Congress; and (20) authorizes the President to call to active duty members of the Ready Reserve, who (a) are not assigned or are not participating satisfactorily in a Ready Reserve unit, (b) have not fulfilled their statutory reserve obligation, and (c) have not served on active duty for a total of 24 months.

C. TEXT OF THE ACT

(Emphasis added)

Following is the text of Public Law 90-40, with added emphasis to its references to training.

AN ACT To amend the Universal Military Training and Service Act, and for other purposes

81 Stat. 100.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Universal Military Training and Service Act is amended as follows:

Universal Military Training and Service Act, amendments.
65 Stat. 75.

(1) Section 1(a) (50 App. U.S.C. 451(a)) is amended to read as follows:

Short title redesignation.

"(a) This Act may be cited as the 'Military Selective Service Act of 1967'."

(2) Section 4 (50 App. U.S.C. 454) is amended by:

Induction liability.

(a) Inserting after the first proviso of subsection (a) the following: "*Provided further*, That, notwithstanding any other provision of law, any registrant who has failed or refused to report for induction shall continue to remain liable for induction and when available shall be immediately inducted.", and

Occupational deferment recommendations.

(b) Adding the following new subsection (g) to read as follows:

"(g) The National Security Council shall periodically advise the Director of the Selective Service System and coordinate with him the work of such State and local volunteer advisory committees which the Director of Selective Service may establish, with respect to the identification, selection, and deferment of needed professional and scientific personnel and those engaged in, and *preparing for, critical skills and other essential occupations.* In the performance of its duties under this subsection the National Security Council shall consider the needs of both the Armed Forces and the civilian segment of the population."

Order of induction.
Change prohibited.
62 Stat. 608.

(3) Section 5(a) (50 App. U.S.C. 455(a)) is amended by inserting "(1)" immediately after "Sec. 5. (a)"; and by adding at the end thereof a new paragraph as follows:

"2) Notwithstanding the provisions of paragraph (1) of this subsection, the President in establishing the order of induction for registrants within the various age groups found qualified for induction shall not effect any change in the method of determining the relative order of induction for such registrants within such age groups as has been heretofore established and in effect on the date of enactment of this paragraph, unless authorized by law enacted after the date of enactment of the Military Selective Service Act of 1967."

Enlistment in Ready Reserve.
77 Stat. 134.
65 Stat. 83.

(4) Section 6(c)(2)(A) (50 App. U.S.C. 456(c)(2)(A)), is amended to read as follows:

"(2)(A) Any person, other than a person referred to in subsection (d) of this section, who—

"(i) prior to the issuance of orders for him to report for induction; or

"(ii) prior to the date scheduled for his induction and pursuant to a proclamation by the Governor of a State to the effect that the authorized strength of any organized unit of the National Guard of that State cannot be maintained by the enlistment or appointment of persons who have not been issued orders to report for induction under this title; or

62 Stat. 604.
50 USC app.
451-471.

"(iii) prior to the date scheduled for his induction and pursuant to a determination by the President that the strength of the Ready Reserve of the Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, or Coast Guard Reserve cannot be maintained by the enlistment or appointment of persons who have not been issued orders to report for induction under this title;

81 Stat. 101

62 Stat. 604.
50 USC app.
451-471.

enlists or accepts appointment, before attaining the age of 26 years, in the Ready Reserve of any Reserve component of the Armed Forces, the Army National Guard, or the Air National Guard, *shall be deferred from training and service* under this title so long as he serves satisfactorily as a member of an organized unit of such Reserve or National Guard in accordance with section 270 of title 10 or section 502 of title 32, United States Code, as the case may be, or satisfactorily performs such other Ready Reserve service as may be prescribed by the Secretary of Defense. Enlistments or appointments under subparagraphs (ii) and (iii) of this clause may be accepted notwithstanding the provisions of section 15(d) of this title. Notwithstanding the provisions of subsection (h) of this section, no person deferred under this clause who has completed six years of such satisfactory service as a member of the Ready Reserve or National Guard, and who during such service has performed *active duty for training with an armed force for not less than four consecutive months, shall be liable for induction for training and service* under this Act, except after a declaration of war or national emergency made by the Congress after August 9, 1955. In no event shall the number of enlistments or appointments made under authority of this paragraph in any fiscal year in any Reserve component of the Armed Forces or in the Army National Guard or the Air National Guard cause the personnel strength of such Reserve component or the Army National Guard or the Air National Guard, as the case may be, to exceed the personnel strength for which funds have been made available by the Congress for such fiscal year."

72 Stat. 1438.
70A Stat. 610.

62 Stat. 624.
50 USC app. 465.
Post, p. 102.

(5) Section 6(a) (50 App. U.S.C. 456(a)) is hereby amended to read as follows:

Exemptions.
65 Stat. 83;
69 Stat. 223.

"Sec. 6. (a)(1) Commissioned officers, warrant officers, pay clerks, enlisted men, and *aviation cadets of the Regular Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, and the Environmental Science Services Administration; cadets, United States Military Academy; midshipmen, United States Naval Academy; cadets, United States Air Force Academy; cadets, United States Coast Guard Academy; midshipmen, Merchant Marine Reserve, United States Naval Reserves; students enrolled in an officers procurement program at military colleges the curriculum of which is approved by the Secretary of Defense;* members of the reserve components of the Armed Forces, and the Coast Guard, while on active duty; and foreign diplomatic representatives, technical attaches of foreign embassies and legations, consuls general; consuls, vice consuls and other consular agents of foreign countries who are not citizens of the United States, and members of their families, and persons in other caregories to be specified by the President who are not citizens of the United States, shall not be required to be registered under section 3 and *shall be relieved from liability for training and service* under section 4, except that aliens admitted for permanent residence in the United States shall not be so exempted. Any person who subsequent to June 24, 1948, serves on active duty for a period of not less than eighteen months in the armed forces of a nation with which the United States is associated in mutual defense activities as defined by the President, may be *exempted from training and service*, but not from registration, in accordance with regulations prescribed by the President, except that no such exemption shall be granted to any person who is a national of a country which does not grant reciprocal privileges to citizens of the United States: *Provided*, That any active duty performed prior to June

62 Stat. 605;
65 Stat. 76.
50 USC app. 453, 454.

81 Stat. 102.

24, 1948, by a person in the armed forces of a country allied with the United States during World War II and with which the United States is associated in such mutual defense activities, shall be credited in the computation of such eighteen-month period: *Provided further,* That any person who is in a medical, dental, or allied specialist category not otherwise deferred or exempted under this subsection *shall be liable for registration and training and service* until the thirty-fifth anniversary of the date of his birth.

Medical or other specialists.

Public Health Service officers.

"(2) Commissioned officers of the Public Health Service and members of the Reserve of the Public Health Service while on active duty and assigned to staff the various offices and bureaus of the Public Health Service, including the National Institutes of Health, or assigned to the Coast Guard, the Bureau of Prisons, Department of Justice, or the Environmental Science Services Administration, shall not be required to be registered under section 3 and shall be *relieved from liability for training and service* under section 4. Notwithstanding the preceding sentence, commissioned officers of the Public Health Service and members of the Reserve of the Public Health Service who, prior to the enactment of this paragraph, had been detailed or assigned to duty other than that specified in the preceding sentence shall not be required to be registered under section 3 and *shall be relieved from liability for training and service* under section 4."

62 Stat. 605;
65 Stat. 76.
50 USC app. 453, 454.

Student deferments.
65 Stat. 83.

(6) Section 6(h) (50 App. U.S.C. 456(h)) is amended to read as follows:

"(h)(1) Except as otherwise provided in this paragraph, the President shall, under such rules and regulations as he may prescribe, provide for the *deferment from training and service in the Armed Forces of persons satisfactorily pursuing a full-time course of instruction at a college, university, or similar institution of learning and who request such deferment. A deferment granted to any person under authority of the preceding sentence shall continue until such person completes the requirements for his baccalaureate degree, fails to pursue satisfactorily a full-time course of instruction, or attains the twenty-fourth anniversary of the date of his birth, whichever first occurs. Student deferments provided for under this paragraph may be substantially restricted or terminated by the President only upon a finding by him that the needs of the Armed Forces require such action. No person who has received a student deferment under the provisions of this paragraph shall thereafter be granted a deferment under this subsection, nor shall any such person be granted a deferment under subsection (i) of this section if he has been awarded a baccalaureate degree, except for extreme hardship to dependents (under regulations governing hardship deferments), or for graduate study, occupation, or employment necessary to the maintenance of the national health, safety, or interest. Any person who is in a deferred status under the provisions of subsection (i) of this section after attaining the nineteenth anniversary of the date of his birth, or who requests and is granted a student deferment under this paragraph, shall, upon the termination of such deferred status or deferment, and if qualified, be liable for induction as a registrant* *within the prime age group irrespective of his actual age, unless he is otherwise deferred under one of the exceptions specified in the preceding sentence.* As used in this subsection, the term 'prime age group' means the age group which has been designated by the President as the age group from which selections for induction into the Armed Forces are first to be made after delinquents and volunteers.

"Prime age group."

Occupational deferments.

"(2) Except as otherwise provided in this subsection the President is authorized, under such rules and regulations as he may prescribe, to provide for the *deferment from training and service* in the Armed Forces of any or all categories of persons whose employment in industry, agriculture, or other occupations or employment, or whose continued service in an Office (other than an Office described in subsection (f)) under the United States or any State, territory, or possession, or the District of Columbia, or *whose activity in graduate study, research*, or medical, dental, veterinary, optometric, osteopathic, scientific, pharmaceutical, chiropractic, chiropodial, or other endeavors is found to be necessary to the maintenance of the national health, safety, or interest: *Provided*, That no person within any such category shall be deferred except upon the basis of his individual status: *Provided further*, That persons who are or may be deferred under the provisions of this section shall *remain liable for training and service* in the Armed Forces under the provisions of section 4(a) of this Act until the thirty-fifth anniversary of the date of their birth. This proviso shall not be construed to prevent the continued deferment of such persons if otherwise deferrable under any other provisions of this Act. The President is also authorized, under such rules and regulations as he may prescribe, to provide for the deferment from training and service in the Armed Forces (1) of any or all categories of persons in a status with respect to persons (other than wives alone, except in cases of extreme hardship) dependent upon them for support which renders their deferment advisable, and (2) of any or all categories of those persons found to be physically, mentally, or morally deficient or defective. For the purpose of determining whether or not the deferment of any person is advisable, because of his status with respect to persons dependent upon him for support, any payments of allowances which are payable by the United States to the dependents of persons serving in the Armed Forces of the United States shall be taken into consideration, but the fact that such payments of allowances are payable shall not be deemed conclusively to remove the grounds for deferment when the dependency is based upon financial considerations and shall not be deemed to remove the ground for deferment when the dependency is based upon other than financial considerations and cannot be eliminated by financial assistance to the dependents. Except as otherwise provided in this subsection, the President is also authorized, under such rules and regulations as he may prescribe, to provide for the *deferment from training and service* in the Armed Forces of any or all categories of persons who have children, or wives and children, with whon they maintain a bona fide family relationship in their homes.

62 Stat. 611.
50 USC app. 456.

65 Stat. 76.
50 USC app. 454.

Dependents.

Posting of classification list.

Uniform classification criteria.

No deferment from such training and service in the Armed Forces shall be made in the case of any individual except upon the basis of the status of such individual. There shall be posted in a conspicuous place at the office of each local board a list setting forth the names and classifications of those persons who have been classified by such local board. The President may, in carrying out the provisions of this title, recommend criteria for the classification of persons subject to induction under this title, and to the extent that such action is determined by the President to be consistent with the national interest, recommend that such criteria be administered uniformly throughout the United States whenever practicable; except that no local board, appeal board, or other agency of appeal of the Selective Service System shall be required to postpone or defer any person by reason of his *activity in study, research,* or medical, dental veterinary, optometric, osteopathic, scientific pharmaceutical, chiropractic, chiropodial, or other endeavors found to be necessary to the maintenance of the national health, safety, or interest solely on the basis of any test, examination, selection system, class standing, or any other means conducted, sponsored, administered, or prepared by any agency or department of the Federal Government, or any private institution, corporation, association, partnership, or individual employed by an agency or department of the Federal Government."

Conscientious objectors.
62 Stat. 612.

(7) Section 6(j) (50 App. U.S.C. 456(j) is amended to read as follows:

"Religious training and belief."

65 Stat. 78;
70A Stat. 630.
50 USC app. 454.

"(j) Nothing contained in this title shall be construed to require any person to be subject to *combatant training and service* in the armed forces of the United States who, *by reason of religious training and belief,* is conscientiously opposed to participation in war in any form. As used in this subsection, the term *'religious training and belief'* does not include essentially political, sociological or philosphical views, or a merely personal moral code. Any person claiming *exemption from combatant training and service* because of such conscientious objections whose claim is sustained by the local board shall, if he is inducted into the armed forces under this title, be assigned to noncombatant service as defined by the President, or shall, if he is found to be conscientiously opposed to participation in such noncombatant service, in lieu of such induction, be ordered by his local board, subject to such regulations as the President may prescribe, to perform for a period equal to the period prescribed in section 4(b) such civilian work contributing to the maintenance of the national health, safety, or interest as the local board pursuant to Presidential regulations may deem appropriate and any such person who knowingly fails or neglects to obey any such order from his local board shall be deemed, for the purposes of section 12 of this title, to have knowingly failed or neglected to perform a duty required of him under this title."

62 Stat. 622.
50 USC app. 462.

Registrants' counselors.
62 Stat. 619.

(8) Section 10(b)(3) (50 App. U.S.C. 460(b)(3)) is amended by:

(a) Inserting the following new proviso at the end of the first sentence therof: "*Provided,* That no person shall be disqualified from serving as a counselor to registrants, including service as Government appeal agent, because of his membership in a Reserve component of the Armed Forces."

Local boards, membership.

(b) Deleting the colon immediately preceding the first proviso, substituting a period therfor and inserting the following: "No member shall serve on any local board or appeal board for more than twenty-five years, or after he has attained the age of seventy-five. No citizen shall be denied membership on any local board or appeal board on account of sex. The requirements outlined in the preceding two sentences shall be fully implemented and effective not later than January 1, 1968."

Judicial review.

(c) Inserting immediately before the last sentence thereof the following: "No judicial review shall be made of the classification or processing of any registrant by local boards, appeal boards, or the President, except as a defense to a criminal prosecution instituted under section 12 of this title, after the registrant has responded either affirmatively or negatively to an order to report for induction, or for civilian work in the case of a registrant determined to be opposed to participation in war in any form: *Provided*, That such review shall go to the question of the jurisdiction herein reserved to local boards, appeal boards, and the President only when there is no basis in fact for the classification assigned to such registrant."

"Executive secretary."

81 Stat. 105.

(9) Sections 10(b) (4) (50 App. U.S.C. 460(b)(4)) is amended by deleting the semicolon at the end of the paragraph, substituting a colon therefor, and adding the following: "*Provided further*, That an employee of a local board having supervisory duties with respect to other employees of one or more local boards shall be designated as the 'executive secretary' of the local board or boards: *And provided further*, That the term of employment of such 'executive secretary' in such position shall in no case exceed ten years except when reappointed;".

Report to Congress.
65 Stat. 87.

(10) Section 10(g) (50 App. U.S.C. 460(g)) is amended to read as follows:

"(g) The Director of Selective Service shall submit to the Congress semiannually a written report covering the operation of the Selective Service System and such report shall include, by States, information as to the number of persons registered under this Act; the number of persons inducted into the military service under this Act; the number of deferments granted under this Act and the basis for such deferments; and such other specific kinds of information as the Congress may from time to time request."

Legal proceedings.
62 Stat. 622.

(11) Section 12 (50 App. U.S.C. 462) is amended by:

(a) Deleting the last sentence of subsection (a) and substituting the following in lieu thereof: "Precedence shall be given by courts to the trial of cases arising under this title, and such cases shall be advanced on the docket for immediate hearing, and an appeal from the decision or decree of any United States district court or United States court of appeals shall take precedence over all other cases pending before the court to which the case has been referred."

(b) Adding a new subsection (c) as follows:

"(c) The Department of Justice shall proceed as expeditiously as possible with a prosecution under this section, or with an appeal, upon the request of the Director of Selective Service System or shall advise the House of Representatives and the Senate in writing the reasons for its failure to do so."

77 Stat. 4.

(12) Section 17(c) (50 App. U.S.C. 467(c)) is amended by striking out "July 1, 1967" and inserting in place thereof "July 1, 1971".

10 USC 3201 note.

SEC. 2. Section 1 of the Act of August 3, 1950, chapter 537, as amended (77 Stat. 4), is amended by striking out "July 1, 1967" and inserting in place thereof "July 1, 1971".

77 Stat. 4.

SEC. 3. Section 16 of the Dependents Assistance Act of 1950, as amended (50 App. U.S.C. 2216), is amended by striking out "July 1, 1967" and inserting in place thereof "July 1, 1971".

50 USC app. 454 note.

SEC. 4. Section 9 of the Act of June 27, 1957, Public Law 85-62, as amended (77 Stat. 4), is amended by striking out "July 1, 1967" and inserting in place thereof "July 1, 1971".

77 Stat. 4.

SEC. 5. Sections 302 and 303 of title 37, United States Code, are each amended by striking out "July 1, 1967" whenever that date appears and inserting in place thereof "July 1, 1971".

70A Stat. 27.

SEC. 6. Chapter 39 of title 10, United States Code, is amended—

10 USC 671-687.

(1) by inserting the following new section after section 673:

"§ 673a. Ready Reserve: members not assigned to, or participating satisfactorily in, units

"(a) Notwithstanding any other provision of law, the President may order to active duty any member of the Ready Reserve of an armed force who—

"(1) is not assigned to, or participating satisfactorily in, a unit of the Ready Reserve;

"(2) has not fulfilled his statutory reserve obligation; and

"(3) has not served on active duty for a total of 24 months.

"(b) A member who is ordered to active duty under this section may be required to serve on active duty until his total service on active duty equals 24 months. If his enlistment or other period of military service would expire before he has served the required period under this section, it may be extended until he has served the required period.

"(c) To achieve fair treatment among members of the Ready Reserve who are being considered for active duty under this section, appropriate consideration shall be given to—

"(1) family responsibilities; and

"(2) employment necessary to maintain the national health, safety, or interest."; and

(2) by inserting the following item in the analysis:

"673a Ready Reserve: members not assigned to, or participating satisfactorily in, units."

3. AUTHORIZATION FOR CERTAIN STATES TO USE INCOME FROM CERTAIN LANDS FOR EDUCATIONAL PURPOSES

(Public Law 90-41, approved June 30, 1967)

A. Legislative History

S. 617 was introduced on January 24, 1967, by Senators Warren G. Magnuson and Henry M. Jackson, both of Washington. The bill was referred to the Committee on Interior and Insular Affairs.

Hearings on the bill were held before the Subcommittee on Public Lands of the Committee on Interior and Insular Affairs on April 12, 1967.

The bill was reported in the Senate on April 28, 1967 (S. Rept. 198). It passed the Senate on May 2, 1967, and was referred to the (House) Committee on Interior and Insular Affairs on May 3, 1967. The committee was discharged. The bill passed the Senate on June 19, 1967. It was approved by the President on June 30, 1967 and became Public Law 90-41.

B. Digest of the Act

The act authorizes North Dakota, South Dakota, Montana and Washington to use the income from certain lands for the construction of facilities for schools and other public institutions.

C. Text of the Act

Following is the text of Public Law 90-41.

81 Stat. 106.

AN ACT To authorize the States of North Dakota, South Dakota, Montana, and Washington to use the income from certain lands for the construction of facilities for State charitable, educational, penal, and reformatory institutions

N. Dak., S. Dak., Mont., and Wash. Use of income.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of the fourth paragraph of section 11 of the Act entitled "An Act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments and to be admitted into the Union on an equal footing with the original States, and to make donations of public lands to such States", approved February 22, 1889 (25 Stat. 676), as amended, is amended to read as follows: "Rentals on leased land, proceeds from the sale of timber and other crops, interest on deferred payments on land sold, interest on funds arising from these lands, and all other actual income, shall be available for the acquisition and construction of facilities, including the retirement of bonds authorized by law for such purposes, and for the maintenance and support of such schools and institutions."

4. EXTENSION OF HOUSING ACT FELLOWSHIP PROGRAM

(Public Law 90-66, approved August 19, 1968)

A. Legislative History

S. 1762 was introduced on May 11, 1968, by Senator John L. Sparkman, of Alabama. The bill was referred to the Committee on Banking and Currency. It was reported in the Senate on May 11, 1962 (S. Rept. 224). It passed the Senate on May 15, 1967, and on May 16, 1967 was referred to the House Committee on Banking and Currency. It was reported in the House on August 2, 1967 (H. Rept. 534). It passed the House, under suspension of the rules, on August 7, 1967. The act was approved on August 19, 1967, and became Public Law 90-66.

B. Digest of the Act

The act extends for 3 years the fellowship programs for city planning and urban studies authorized by the Housing Act of 1964.

C. Text of the Act

AN ACT To amend section 810 of the Housing Act of 1964 to extend for three years the fellowship program authorized by such section

81 Stat. 167.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 810 of the Housing Act of 1964 is amended by striking out "three-year period" and inserting in lieu thereof "six-year period."

78 Stat. 803.
20 USC 811.

5. NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT, 1968

(Provisions Affecting Education and Training)

(Public Law 90-67, approved August 21, 1967)

A. Legislative History

In the House, hearings on 1968 NASA Authorization were held before the Committee on Science and Aeronautics on February 28 and March 1, 2, 7, 8, and 9, 1967; by the Subcommittee on Manned Space Flight on March 14, 15, 16, 20, and 21, 1967; by the Subcommittee on Space Science and Applications on March 3, 6, 14, 15, 16, 21, and April 4, 5, 7, 17, 18, and 19, 1967; and by the Subcommittee on Advanced Research and Technology on March 14, 15, 16, 20, 21, 22, and April 4, 5, 6, 7, 17, 18, 19, and 20, 1967.

In the Senate, hearings on NASA Authorization for Fiscal Year 1968 were held before the Committee on Aeronautical and Space Sciences on April 18, 19, 20, 21, 25, 26, and 27, 1967.

S. 1296, the National Aeronautics and Space Authorization Act, 1968, was introduced (by request) on March 15, 1967, by Senators Clinton P. Anderson, of New Mexico, and Margaret Chase Smith, of Maine. The bill was referred to the Committee on Aeronautical and Space Sciences. It was reported in the Senate on June 23, 1967 (S. Rept. 353). It passed the Senate on June 28, 1967. It also passed the House, amended, and the House asked for a conference, on June 28, 1967. On July 18, 1967, the Senate agreed to a conference. The Senate agreed to the conference report on August 2, 1967. The conference report was filed on August 3, 1967 (H. Rept. 535). The House agreed to the conference report on August 8, 1967. The act was approved by the President on August 21, 1967, and became Public Law 90-67.

B. Summary of Provisions Affecting Education and Training

The act authorizes a total appropriation of $4,865,751,000, for research and development, construction of facilities, and administrative operations. It authorizes the use of appropriations for research and development for grants to nonprofit institutions of higher education. It includes an appropriation of $20 million for the sustaining university program.

C. Partial Text of the Act

Following is part of the text of the Act, with emphasis added.

AN ACT To authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes

18 Stat. 168

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration the sum of $4,865,751,000, as follows:

National Aeronautics and Space Administration Authorization Act, 1968.

Research and development.

(a) For "Research and development," for the following programs:

(1) Apollo, $2,521,500,000;
(2) Apollo applications, $347,700,000;
(3) Advanced missions, $2,500,000;
(4) Physics and astronomy, $145,500,000;
(5) Lunar and planetary exploration, $131,900,000;
(6) Voyager, $42,000,000;
(7) Bioscience, $41,800,000;
(8) Space applications, $99,500,000;
(9) Launch vehicle procurement, $157,700,000;
(10) Space vehicle systems, $36,000,000;
(11) Electronics systems, $39,200,000;
(12) Human factor systems, $21,000,000;
(13) Basic research, $21,465,000;
(14) Space power and electric propulsion systems, $44,000,000;
(15) Nuclear rockets, $73,000,000;
(16) Chemical propulsion, $41,000,000 of which $3,000,000 is to be used only for the large solid motor project;
(17) Aeronautics, $66,800,000;

(18) Tracking and data acquisition, $290,000,000;
(19) *Sustaining university program, $20,000,000;*
(20) Technology utilization, $5,000,000.

Administrative expenses. Program specifications.

(d) Appropriations for "Research and development" may be used (1) for any items of a capital nature (other than acquisition of land) which may be required for the performance of research and development contracts and (2) *for grants to nonprofit institutions of higher education*, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" pursuant to this Act may be used for construction of any major facility, the estimated cost of which, including collateral equipment, exceeds $250,000, unless the Administrator or his designee has notified the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility.

Notice to congressional committees.

(e) When so specified in an appropriation Act, (1) any amount appropriated for "Research and development" or for "Construction of facilities" may remain available without fiscal year limitation, and (2) maintenance and operation of facilities, and support services contracts may be entered into under the "Administrative operations" appropriation for periods not in excess of twelve months beginning at any time during the fiscal year.

Scientific consultations.

(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed $35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

* * * * *

6. VETERANS' PENSION AND READJUSTMENT ASSISTANCE ACT OF 1967: PROVISIONS CONCERNING EDUCATION AND TRAINING

(Public Law 90–77, approved Aug. 31, 1967)

A. Legislative History

S. 16, the Veterans' Pension and Readjustment Assistance Act of 1967, was introduced on January 11, 1967, by Senator Joseph M. Montoya, of New Mexico, and other Senators. The bill was referred to the Committee on Finance. It was reported in the Senate on January 31, 1967 (S. Rept. 7). It passed the Senate on February 7, 1967, and was referred to the House Committee on Veterans' Affairs on February 8, 1967.

On March 2, 3, and 6, 1967, the Subcommittee on Pensions of the House Committee on Veterans' Affairs held hearings on "Pension Bills and Bills to Provide Additional Wartime Benefits to Veterans of the Vietnam Conflict."

H.R. 2068, a bill similar to S. 16, was introduced on March 15, 1967, by Representative Wm. Jennings Bryan Dorn of South Carolina. This bill was referred to the Committee on Veterans' Affairs and was reported from that committee on March 15, 1967 (H. Rept. 130). Under suspension of the rules, the bill passed the House on March 20, 1967. On the same date, the proceedings were vacated, H.R. 2068 was laid on the table, and S. 16, as amended, was passed in lieu.

(On March 20 and 21, 1967, the Subcommittee on Veterans' Affairs of the Committee on Labor and Public Welfare held hearings on S. 9, the "Cold War GI Bill Amendments of 1967.")

On June 1, 1967, the Senate agreed to the House amendment with an amendment to S. 16, and asked for a conference. On June 20, 1967, the House agreed to a conference. The conference report was filed on August 17, 1967 (H. Rept. 554). The House agreed to the conference report on August 17, 1967. The Senate agreed to the conference report August 23, 1967. The act was approved on August 31, 1967, and became Public Law 90-77.

B. Digest of Provisions Concerning Education and Training

Following is a summary of title III, which relates specifically to education and training.

Title III: Education and Training.—The act increases the education benefits under Public Law 89-358 to $130 monthly (formerly $100) for a veteran without dependents attending school full time, $155 (formerly $125) for a veteran with one dependent, and $175 (formerly $150) for a veteran with two or more dependents, with proportional increases for veterans in less than full-time attendance.

The act provides for educational assistance allowances for eligible veterans pursuing a program of flight training computed at 90 percent of the established charges for similarly circumstanced nonveterans enrolled in the same flight training course, with each $130 paid to a veteran to cancel 1 month of training eligibility. The act permits the Administrator of Veterans' Affairs to approve the pursuit of flight training by an eligible veteran only if the veteran (1) has a valid private pilot license or the equivalent in flight training hours, and (2) can meet the medical requirements necessary for a commercial pilot's license.

The act authorizes educational assistance for eligible veterans receiving farm cooperative training consisting of institutional agricultural courses at a minimum of 12 clock hours per week at the following monthly rates: (1) for a veteran with no dependents, $105; (2) for a veteran with one dependent, $125; (3) for a veteran with two dependents, $145; (4) for a veteran with more than two dependents, $145 with $7 for each dependent in excess of two.

The act provides on-the-job training with appropriate safeguards and a monthly training assistance for the first 6 months of $80 for a veteran with no dependents, $90 for a veteran with one dependent, and $100 for a veteran with two or more dependents, with proportionately reduced allowances for subsequent 6-month periods.

It authorizes full benefit payments under Public Law 89–358 (Veterans Readjustment Benefits Act) to educationally disadvantaged veterans to allow them to complete high school without losing their eligibility for college benefits (time spent in pursuit of such courses not chargeable against the veteran's basic period of entitlement).

It amends the war orphans' educational assistance program by extending the age period during which training may be taken from 23 to 26 years of age.

It directs the Administrator of Veterans' Affairs to pay a reporting fee to any educational institution in which persons receiving assistance under chapter 34 ("Veterans' Educational Assistance") or 35 ("War Orphans' Educational Assistance") of title 38, United States Code, to be computed for each calendar year by multiplying $3 by the number of persons enrolled therein under the above two chapters on October 31 of that year. The Administrator may, if the enrollment of such persons in an institution on October 31 fluctuates more than 15 percent from the peak enrollment of such persons during such year, establish another date for the computation of the reporting fee to be paid that institution.

C. Text of Provisions Concerning Education and Training

Following is the text of title III of Public Law 90–77:

AN ACT To amend title 38 of the United States Code in order to increase the rates of pension payable to certain veterans and their widows, to provide additional readjustment assistance for veterans of service after January 31, 1955, and for other purposes

81 Stat. 173.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

Section 1. This Act may be cited as the "Veterans' Pension and Readjustment Assistance Act of 1967".

Veterans' Pension and Readjustment Assistance Act of 1967.

* * *

TITLE III—EDUCATION AND TRAINING

EDUCATIONAL ASSISTANCE ALLOWANCES

Sec. 301. (a) Paragraph (1) of section 1682(a) of title 38, United States Code, is amended by striking out "Except as provided in subsection (b) or (c)(1)" and inserting in lieu thereof "Except as provided in subsection (b), (c)(1), or (d) of this section, or section 1677 or 1683 of this title", and by striking out "column II, III, or IV" where it first appears therein and inserting in lieu thereof "column II, III, IV, or V".

80 Stat. 18.

Post, p. 185.
Post, p. 186.

(b) The table contained in paragraph (1) of section 1682(a) of title 38, United States Code, relating to educational assistance allowances, is amended to read as follows:

"Column I	Column II	Column III	Column IV	Column V
Type of program	No dependents	One dependent	Two dependents	More than two dependents
				The amount in Column IV, plus the following for each dependent in excess of two:
Institutional:				
Full time	$130	$155	$175	$10
Three-quarter time	95	115	135	7
Half time	60	75	85	5
Cooperative	105	125	145	7".

(c) Section 1682(b) of such title is amended by striking out "$100" in clause (2)(B), and inserting in lieu thereof "$130".

81 Stat. 185.

FLIGHT TRAINING

SEC. 302. (a) Section 1673(b) of title 38, United State Code, is amended to read as follows: 80 Stat. 16.

"(b) Except as provided in section 1677 of this title, the Administrator shall not approve the enrollment of an eligible veteran in any course of flight training other than one given by an educational institution of higher learning for credit toward a standard college degree the eligible veteran is seeking." *Infra.*

(b) Subchapter III of chapter 34, United States Code, is amended by adding at the end thereof a new section as follows: 80 Stat. 12. 83 USC 1670-1676.

"§ 1677. Flight training

"(a) The Administrator may approve the pursuit by an eligible veteran of flight training generally accepted as necessary for the attainment of a recognized vocational objective in the field of aviation, subject to the following conditions:

"(1) the eligible veteran must possess a valid private pilot's license or must have satisfactorily completed the number of hours of flight training instruction required for a private pilot's license, and meet the medical requirements necessary for a commercial pilot's license; and

"(2) the flight school courses must meet the Federal Aviation Administration standards and be approved both by that Agency and the appropriate State approving agency.

"(b) Each eligible veteran who is pursuing a program of education consisting exclusively of flight training approved as meeting the requirements of subsection (a) hereof, shall be paid an educational assistance allowance to be computed at the rate of 90 per centum of the established charges for tuition and fees which similarly circumstanced non-veterans enrolled in the same flight course are required to pay. Such allowance shall be paid quarterly upon receipt of a certification from the eligible veteran and the institution as to actual flight training received by, and the cost thereof to, the veteran during such quarter. In each such case the eligible veteran's period of entitlement shall be charged with one month for each $130 which is paid to the veteran as an educational assistance allowance for such course."

(c) The analysis of subchapter III of chapter 34 is amended by inserting immediately after

"1676. Education outside the United States."

the following:

"1677. Flight training."

FARM COOPERATIVE TRAINING

SEC. 303. (a) Section 1673(c) of title 38, United States Code, is amended by striking out "of apprentice or other training on the job, any course of institutional on-farm training, or any course".

80 Stat. 18.

(b) Section 1682 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

Ante, p. 184.

"(d) An eligible veteran enrolled in an educational institution for a 'farm cooperative' program consisting of institutional agricultural courses for a minimum of 12 clock hours per week, shall be eligible to receive an educational assistance allowance at the appropriate rate provided in the table in subsection (a)(1) of this section opposite the work 'Cooperative' under Column I of such table, if such eligible veteran is concurrently engaged in agricultural employment which is relevant to such institutional agricultural courses as determined under standards prescribed by the Administrator."

81 Stat. 186.

APPRENTICESHIP OR OTHER ON-JOB TRAINING

80 Stat. 12.
38 USC 1651 *et seq.*

SEC. 304. (a) Chapter 34 of title 38, United States Code, is amended by redesignating sections 1683, 1684, 1685, and 1686 as section 1684, 1685, 1686, and 1687, respectively, and by inserting immediately after section 1682 thereof the following new section:

"§ 1683. Apprenticeship or other on-job training

"(a) Any eligible veteran may receive the benefits of this chapter while pursuing a full-time—

"(1) program of apprenticeship approved by a State approving agency as meeting the standards of apprenticeship published by the Secretary of Labor pursuant to section 50a of title 29, United States Code, or

50 Stat. 665.

"(2) program of other training on the job approved under the provisions of section 1777 of this title,

Post, p. 187.

subject to the conditions and limitations of this chapter with respect to educational assistance.

"(b) The monthly training assistance allowance of an eligible veteran pursuing a program described under subsection (a) shall be as follows:

"Periods of training	No dependents	One dependent	Two or more dependents
First 6 months	$80	$90	$100
Second 6 months	60	70	80
Third 6 months	40	50	60
Fourth and any succeeding 6-month periods	20	30	40

80 Stat. 20.

38 USC 1770 *et seq.*
Definitions.

"(c) For purposes of this chapter and chapter 36 of this title, the terms 'program of apprenticeship' and 'program of other on-job training' shall have the same meaning as 'program of education'; and the term 'training assistance allowance' shall have the same meaning as 'educational assistance allowance'."

(b) The table of sections of chapter 34 of title 38, United States Code, is amended by striking out "1683" and all that follows and inserting in lieu thereof the following:

"1683. Apprenticeship or other on-job training.
"1684. Measurement of courses.
"1685. Overcharges by educational institutions.
"1686. Approval of courses.
"1687. Discontinuance of allowances."

80 Stat. 13.

(c) Section 1652 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

"Training establishment."

"(e) For the purposes of this chapter and chapter 36 of this title, the term 'training establishment' means any establishment providing apprentice or other training on the job, including those under the supervision of a college or university or any State department of education, or any State apprenticeship agency, or any State board of vocational education, or any joint apprenticeship committee, or the Bureau of Apprenticeship and Training established pursuant to chapter 4C of title 29, United States Code, or any agency of the Federal Government authorized to supervise such training."

29 USC 50, 50a, 50b.

(d) Chapter 36 of title 38, United States Code, is amended by redesignating sections 1777 and 1778 as sections 1778 and 1779, respectively, and by inserting immediately after section 1776 the following new section:

81 Stat. 187.

"§ 1777. Approval of training on the job

"(a) Any State approving agency may approve a program of training on the job (other than a program of apprenticeship) only when it finds that the job which is the objective of the training is one in which progression and appointment to the next higher classification are based upon skills learned through organized training on the job and not on such factors as length of service and normal turnover, and that the provisions of subsections (b) and (c) of this section are met.

"(b) The training establishment offering training which is desired to be approved for the purposes of this chapter must submit to the appropriate State approving agency a written application for approval which, in addition to furnishing such information as is required by the State approving agency, contains a certification that—

"(1) the wages to be paid the eligible veteran (A) upon entrance into training, are not less than wages paid nonveterans in the same training position and are at least 50 per centum of the wages paid for the job for which he is to be trained, and (B) such wages will be increased in regular periodic increments until, not later than the last full month of the training period, they will be at least 85 per centum of the wages paid for the job for which such eligible veteran is being trained; and

"(2) there is reasonable certainty that the job for which the eligible veteran is to be trained will be available to him at the end of the training period.

Investigation by State-approving agency.

"(c) As a condition for approving a program of training on the job (other than a program of apprenticeship) the State approving agency must find upon investigation that the following criteria are met:

"(1) The training content of the course is adequate to qualify the eligible veteran for appointment to the job for which he is to be trained.

"(2) The job customarily requires full-time training for a period of not less than six months and not more than two years.

"(3) The length of the training period is not longer than that customarily required by the training establishments in the community to provide an eligible veteran with the required skills, arrange for the acquiring of job knowledge, technical information, and other facts which the eligible veteran will need to learn in order to become competent on the job for which he is being trained.

"(4) Provision is made for related instruction for the individual eligible veteran who may need it.

"(5) There is in the training establishment adequate space, equipment, instructional material, and instructor personnel to provide satisfactory training on the job.

"(6) Adequate records are kept to show the progress made by each eligible veteran toward his job objective.

"(7) No course of training will be considered bona fide if given to an eligible veteran who is already qualified by training and experience for the job.

"(8) A signed copy of the training agreement for each eligible veteran, including the training program and wage scale as approved by the State approving agency, is provided to the veteran and to the Administrator and the State approving agency by the employer.

"(9) That the course meets such other criteria as may be established by the State approving agency."

81 Stat. 188.
80 Stat. 20.
38 USC 1770 *et seq.*

(e) The table of sections of chapter 36 of title 38, United States Code, is amended by striking out "1777" and all that follows through "Disapproval of courses." and inserting in lieu thereof the following:

"1777. Approval of training on the job.

"1778. Notice of approval of courses.
"1779. Disapproval of courses."

DELIMITING PERIOD

SEC. 305. Subsection (c) of section 1662 of title 38, United States Code is amended by adding at the end thereof the following new sentence: "In the case of any eligible veteran who was discharged or released from active duty before the date of enactment of this sentence and who pursues a course of farm cooperative training, apprenticeship or other training on the job, or flight training within the provision of section 1677 of this chapter, the eight-year delimiting period shall run from the date of enactment of this sentence, if it is later than the date which would otherwise be applicable."

Ante, p. 185.

SPECIAL ASSISTANCE FOR THE EDUCATIONALLY DISADVANTAGED

SEC. 306. (a) Subchapter III of chapter 34 of title 38, United States Code, as amended by section 302(b) of this Act, is amended by adding at the end thereof the following new section:

80 Stat. 12.
38 USC 1651 *et seq.*
Ante, p. 185.

"§ 1678. Special training for the educationally disadvantaged

"(a) In the case of any eligible veteran who—

"(1) has not received a secondary school diploma (or an equivalency certificate) at the time of his discharge from active duty, or

"(2) in order to pursue a program of education for which he would otherwise be eligible, needs additional secondary school training, either refresher courses or deficiency courses, to qualify for admission to an appropriate educational institution,

the Administrator may, without regard to so much of the provisions of section 1671 as prohibit the enrollment of an eligible veteran in a program of education in which he is 'already qualified', approve the enrollment of such veteran in an appropriate course of courses; except that no enrollment in adult evening secondary school courses shall be approved in excess of half-time training as defined pursuant to section 1648 of this title.

"(b) The Administrator shall pay to an eligible veteran pursuing a course or courses pursuant to subsection (a) of this section, an educational assistance allowance as provided in sections 1681 and 1682 of this chapter.

"(c) The educational assistance allowance authorized by this section shall be paid without charge to any period of entitlement the veteran may have earned pursuant to section 1661(a) of this chapter."

(b)(1) The analysis at the head of chapter 34, title 38, United States Code, as amended by section 302(c) of this Act, is amended by adding immediately after

"1677. Flight training."

the following:

"1678. Special training for the educationally disadvantaged."

(2) Section 1661(b) of title 38, United States Code, is amended by inserting immediately after "subsection (c)" the following: "and in section 1678 of this chapter".

Supra.

(c) Where the Administrator of Veterans' Affairs finds that an eligible veteran has since June 1, 1966, and prior to the enactment of this section, received educational assistance while pursuing a course or courses of education to which he would have been entitled under section 1678 of title 38, United States Code, without charge to entitlement, he may restore to the veteran any period of entitlement expended in the pursuit of such course or courses.

Ante, p. 188.

PERIOD OF ELIGIBILITY, WAR ORPHANS' EDUCATIONAL ASSISTANCE PROGRAM

72 Stat. 1194.

SEC. 307. (a) Section 1712(a) of title 38, United States Code, is amended by striking out "twenty-third birthday" each place where it appears therein and inserting in lieu thereof "twenty-sixth birthday".

79 Stat. 1313;
80 Stat. 861.
38 USC 1701 *et seq.*

(b) In the case of any eligible person (within the meaning of section 1701(a)(1) or 1765(a) of title 38, United States Code) who is made eligible for educational assistance under the provisions of chapter 35 of title 38, United States Code, solely by virtue of the amendments made by subsection (a) of this section, and who on the effective date of this Act is below the age of twenty-six years, the period referred to in section 1712 of such title shall not end with respect to such person until the expiration of the five-year period which begins on the effective date of this Act, excluding from such five-year period any period of time which may elapse between the date on which application for benefits of such chapter 35 is filed on behalf of such person and the date of final approval of such application by the Administrator of Veterans' Affairs; but in no event shall educational assistance under such chapter 35 be afforded to any eligible person beyond his thirty-first birthday by reason of this section.

REPORTING FEE

SEC. 308. (a) Section 1784 of title 38, United States Code, is amended by—

(1) adding at the end of the catchline the following: "; reporting fee";

(2) striking out "Educational" at the beginning of such section and inserting in lieu thereof: "(a) Educational"; and

(3) adding at the end thereof a new subsection (b) as follows:

"(b) The Administrator may pay to any educational institution furnishing education under either chapter 34 or 35 of this title, a reporting fee which will be in lieu of any other compensation or reimbursement for reports or certifications which such educational institution is required to report to him by law or regulation. Such reporting fee shall be computed for each calendar year by multiplying $3 by the number of eligible veterans enrolled under chapter 34 of this title, plus the number of eligible persons enrolled under chapter 35 of this title, on October 31 of that year; except that the Administrator may, where it is established by the educational institution that eligible veteran plus eligible person enrollment on such date varies more than 15 per centum from the peak eligible veteran plus eligible person enrollment in such institution during such calendar year, establish such other date as representative of the peak enrollment as may be justified for that institution. The reporting fee shall be paid to the educational institution as soon as feasible after the end of the calendar year for which it is applicable."

(b) The table of sections at the head of chapter 36 of title 38, United States Code, is amended by striking out:

"1784. Reports by institutions."

and inserting in lieu thereof:

"1784. Reports by institutions; reporting fee."

7. PROPERTY LIMIT INCREASE FOR THE AMERICAN ACADEMY IN ROME

(Public Law 90-79, approved Aug. 31, 1967)

(NOTE.—The act of Mar. 3, 1905 (33 Stat. 1044), created a body corporate in the District of Columbia by the name of the American Academy in Rome, for the purpose of establishing and maintaining an institution to promote the study and practice of the fine arts, and to aid and stimulate the education and training of architects, painters, sculptors, and other artists by enabling such citizens of the United States, selected by competition from among those who have passed with honors through leading technical schools, to develop their powers and complete their training under the most favorable conditions of direction and surroundings. As originally enacted the corporation was empowered to hold real estate and personal property in the United States and in the Kingdom of Italy for the necessary use of the organization to an amount not to exceed $1 million. Subsequent acts of Congress, one in 1912, raised this amount to $3 million, and another in 1924, which further increased the amount to $10 million, enlarged the purposes of the Academy.)

A. LEGISLATIVE HISTORY

S. 281 was introduced by Senator Jacob K. Javits, of New York, on January 12, 1967. The bill was referred to the Committee on the Judiciary. It was reported in the Senate on May 17, 1967 (S. Rept. 238). It passed the Senate on May 19, 1967. It was referred to the Committee on House Administration on May 22, 1967. It was reported in the House on August 16, 1967 (H. Rept. 557). It passed the House, amended, on August 21, 1967. The Senate agreed to the House amendment on August 23, 1967. The act was approved by the President on August 31, 1967, and became Public Law 90-79.

B. DIGEST OF THE ACT

The Act increases from $10 million to $25 million the value of real and personal property which may be held by the American Academy in Rome.

C. TEXT OF THE ACT

81 Stat. 192.

AN ACT To increase the amount of real and personal property which may be held by the American Academy in Rome

American Academy in Rome. Property limit increase.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to permit the American Academy in Rome to enlarge its purposes, and for other purposes", approved June 6, 1912 (37 Stat. 124), as amended (43 Stat. 635), is hereby amended by striking out "$10,000,000" and inserting in lieu thereof "$25,000,000".

8. REQUIREMENT OF FUTURE AUTHORIZATION FOR CERTAIN MARITIME ADMINISTRATIVE PROGRAMS

(Including Training Programs)

(Public Law 90–81, approved Sept. 5, 1967)

A. LEGISLATIVE HISTORY

H.R. 158 was introduced on January 10, 1967, by Representative Edward A. Garmatz, of Maryland. The bill was referred to the Committee on Merchant Marine and Fisheries. It was reported from that Committee on April 6, 1967 (H. Rept. 177). It passed the House on May 4, 1967. It was reported in the Senate, from the Committee on Commerce, on August 21, 1967 (S. Rept. 533). It passed the Senate on August 23, 1967. It was approved by the President on September 5, 1967, and became Public Law 90–81.

B. DIGEST OF THE ACT

The act requires that after December 31, 1967, only such sums as the Congress may specifically authorize may be appropriated for the use of the Maritime Administration for certain specified categories of activity. These categories include maritime training at the Merchant Marine Academy and financial assistance to State marine schools.

C. Text of the Act

AN ACT To amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration

Maritime Administration. Future funds, authorization. 49 Stat. 1988; 50 Stat. 839.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 209 of the Merchant Marine Act, 1936 (46 U.S.C. 1119), is amended to read as follows:

"SEC. 209. (a) Except as provided in subsection (b) of this section, there are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

"(b) Notwithstanding any other provision of this Act or any other law, there are authorized to be appropriated after December 31, 1967, for the use of the Maritime Administration for—

"(1) acquisition, construction, or reconstruction of vessels; 81 Stat. 193. 81 Stat. 194.

"(2) construction-differential subsidy and cost of national defense features incident to the construction, reconstruction, or reconditioning of ships;

"(3) payment of obligations incurred for operating-differential subsidy;

"(4) expenses necessary for research and development activities (including reimbursement of the Vessel Operations Revolving Fund for losses resulting from expenses of experimental ship operations);

"(5) reserve fleet expenses;

"(6) maritime training at the Merchant Marine Academy at Kings Point, New York;

"(7) financial assistance to State Marine Schools; and

"(8) the Vessel Operations Revolving Fund;

only such sums as the Congress may specifically authorize by law."

9. DEPARTMENT OF DEFENSE APPROPRIATION ACT, 1968

(Public Law 90–96, approved September 29, 1967)

A. Legislative History

Hearings on Department of Defense Appropriations for the fiscal year 1968 were held before subcommittees of the Senate Committee on Appropriations intermittently from January 25 to July 14, 1967. Hearings on Department of Defense appropriations for 1968 were held before a subcommittee of the House Committee on Appropriations intermittently from February 27 to May 15, 1967.

H.R. 10738, the "Department of Defense Appropriation Act, 1968" was introduced on June 9, 1967, by Representative George H. Mahon, of Texas. The bill was referred to the Committee on Appropriations. It was reported from that committee on June 9, 1967 (H. Rept. 349). The bill passed the House on June 13, 1967. It was reported in the Senate, from the Committee on Appropriations, on August 4, 1967 (S. Rept. 494). It passed the Senate, amended, on August 22, 1967, and the Senate asked for a conference on that date. The House agreed to a conference on August 23, 1967, and the conference report was filed on that date (H. Rept. 595). The House agreed to the conference report on September 12, 1967. The Senate agreed to the conference report on September 13, 1967. The act was approved by the President on September 20, 1967, and became Public Law 90–96.

B. Summary of Some of the Appropriations Affecting Education and Training

Education and training are very largely involved in activities of the Department of Defense. However, funds made available to the

Department for educational and training purposes generally are not separately identified in this act. Following is a list of some 1968 appropriations to the Department which clearly, from this act, may be used, at least in part, to support educational and/or training programs:

Reserve personnel, Army	$297,200,000
Reserve personnel, Navy	116,100,000
Reserve personnel, Marine Corps	38,300,000
Reserve personnel, Air Force	72,300,000
National Guard personnel, Army	345,000,000
National Guard personnel, Air Force	87,600,000
Operation and maintenance, Army	6,942,375,000
Operation and maintenance, Navy	4,653,000,000
Operation and maintenance, Marine Corps	391,600,000
Operation and maintenance, Air Force	5,367,025,000
Operation and maintenance, Defense activities	947,520,000
Operation and maintenance, Army National Guard	241,000,000
Operation and maintenance, Air National Guard	272,570,000
National board for the promotion of rifle practice, Army	428,000
Claims, Defense	30,000,000

C. TEXT OF THE ACT

Following is the text of certain parts of Public Law 90-96 relating to appropriations which clearly, from this act, may be used, at least in part, to support educational and/or training activities.

AN ACT Making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes

Department of Defense Appropriation Act, 1968.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1968, for military functions administered by the Department of Defense, and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

* * * * *

RESERVE PERSONNEL, ARMY

70A Stat. 11, 161.

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 265 and 3033 of title 10, United States Code, or while undergoing reserve training or while performing drills or equivalent duty, and for members of the Reserve Officers' Training Corps, as authorized by law; $297,200,000: *Provided*, That the Army Reserve will be programed to attain an average strength of not less than two hundred sixty thousand for fiscal year 1968.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Naval Reserve on active duty under section 265 of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Reserve Officers' Training Corps, as authorized by law; $116,100,000. 70A Stat. 11.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve and the Marine Corps platoon leaders class on active duty under section 265 of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, as authorized by law; $38,300,000.

81 Stat. 232
81 Stat. 233.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 265 or 8033 of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Air Reserve Officers' Training Corps, as authorized by law; $72,300,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under sections 265, 3033, or 3496 of title 10 or section 708 of title 32, United States Code, or while undergoing training or while performing drills or equivalent duty, as authorized by law; $345,000,000: *Provided*, That obligations may be incurred under this appropriation without regard to section 107 of title 32, United States Code: *Provided further*, That the Army National Guard will be programed to attain an average strength of not less than four hundred thousand for fiscal year 1968. 70A Stat. 599.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under sections 265, 8033, or 8496 of title 10 or section 708 of title 32, United States Code, or while undergoing training or while performing drills or equivalent duty, as authorized by law; $87,600,000: *Provided*, That obligations may be incurred under this appropriation without regard to section 107 of title 32, United States Code.

* * * * *

TITLE II

OPERATION AND MAINTENANCE

Operation and Maintenance, Army

81 Stat. 233.
81 Stat. 234.

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, including administration; medical and dental care of personnel entitled thereto by law or regulation (including charges of private facilities for care of military personnel on duty or leave, except elective private treatment), and other measures necessary to protect the health of the Army; care of the dead; chaplains' activities; awards and medals; welfare and recreation; recruiting expenses; transportation services; communications services; maps and similar data for military purposes; military surveys and engineering planning; repair of facilities; hire of passenger motor vehicles; tuition and fees incident to training of military personnel at civilian institutions; field exercises and maneuvers; expenses for the Reserve Officers' Training Corps and other units at educational institutions, as authorized by law; and not to exceed $4,690,000 for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, and his determination shall be final and conclusive upon the accounting officers of the Government; $6,942,375,000, of which not less than $280,000,000 shall be available only for the maintenance of real property facilities.

Operation and Maintenance, Navy

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, including aircraft and vessels; modification of aircraft, missiles, missile systems, and other ordnance; design and alteration of vessels; training and education of members of the Navy; administration; procurement of military personnel; hire of passenger motor vehicles; welfare and recreation; medals, awards, emblems, and other insignia; transportation of things (including transportation of household effects of civilian employees); industrial mobilization; medical and dental care; care of the dead; charter and hire of vessels; relief of vessels in distress; maritime salvage services; military communications facilities on merchant vessels; dissemination of scientific information; administration of patents, trademarks, and copyrights; annuity premiums and retirement benefits for civilian members of teaching services; tuition, allowances, and fees incident to training of military personnel at civilian institutions; repair of facilities; departmental salaries; conduct of schoolrooms, service clubs, chapels, and other instructional, entertainment, and welfare expenses for the enlisted men; procurement of services, special clothing, supplies, and equipment; installation of equipment in public or private plants; exploration, prospecting, conservation, development, use, and operation of the naval petroleum and oil shale reserves, as authorized by law; and not to exceed $12,549,000 for emergency and extraordinary expenses, as authorized by section 7202 of title 10, United States Code, to be expended on the approval and authority of the Secretary and his determination shall be final and conclusive upon the accounting officers of the Government; $4,653,000,000, of which not less than $154,000,000 shall be available only for maintenance of real property facilities and not to exceed $1,360,000 may be transferred to the appropriation for "Salaries and expenses", Environmental Science Services Administration, Department of Commerce, for the current fiscal year for the operation of ocean weather stations. 70A Stat. 442.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, necessary for the operation and maintenance of the Marine Corps including equipment and facilities; procurement of military personnel; training and education of regular and reserve personnel, including tuition and other costs incurred at civilian schools; welfare and recreation; conduct of schoolrooms, service clubs, chapels, and other instructional, entertainment, and welfare expenses for the enlisted man; procurement and manufacture of military supplies, equipment, and clothing; hire of passenger motor vehicles; transportation of things; medals, awards, emblems, and other insignia; operation of station hospitals, dispensaries and dental clinics; and departmental salaries; $391,600,000, of which not less than $22,241,000 shall be available only for the maintenance of real property facilities.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation, maintenance, and administration of the Air Force, including the Air Force Reserve and the Air Reserve Officers' Training Corps; operation, maintenance, and modification of aircraft and missiles; transportation of things; repair and maintenance of facilities; field printing plants; hire of passenger motor vehicles; recruiting advertising expenses; training and instruction of military personnel of the Air Force, including tuition and related expenses; pay, allowances, and travel expenses of contract surgeons; repair of private property and other necessary expenses of combat maneuvers; care of the dead; chaplain and other welfare and morale supplies and equipment; conduct of schoolrooms, service clubs, chapels, and other instructional, entertainment, and welfare expenses for enlisted men and patients not otherwise provided for; awards and decorations; industrial mobilization, including maintenance of reserve plants and equipment and procurement planning; special services by contract or otherwise; and not to exceed $3,311,000 for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the

Air Force, and payments may be made on his certificate of necessity for confidential military purposes, and his determination shall be final and conclusive upon the accounting officers of the Government; $5,367,025,000, of which not less than $250,000,000 shall be available only for the maintenance of real property facilities, and not to exceed $200,000 may be transferred to the appropriation for "Salaries and expenses", Environmental Science Services Administration, Department of Commerce, for the current fiscal year, for the operation of the Marcus Island upper-air station.

OPERATION AND MAINTENANCE, DEFENSE AGENCIES

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments and the Office of Civil Defense), including administration; hire of passenger motor vehicles; welfare and recreation; awards and decorations; travel expenses, including expenses of temporary duty travel of military personnel; transportation of things (including transportation of household effects of civilian employees); industrial mobilization; care of the dead; dissemination of scientific information; administration of patents, trademarks, and copyrights; tuition and fees incident to the training of military personnel at civilian institutions; repair of facilities; departmental salaries; procurement of services, special clothing, supplies, and equipment; field printing plants; information and educational services for the Armed Forces; communications services; and not to exceed $3,657,000 for emergency and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense for such purposes as he deems appropriate, and his determination thereon shall be final and conclusive upon the accounting officers of the Government; $947,520,000, of which not less than $11,900,000 shall be available only for the maintenance of real property facilities.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personal services in the National Guard Bureau and services of personnel of the National Guard employed as civilians without regard to their military rank, and the number of caretakers authorized to be employed under provisions of law (32 U.S.C. 709), and those necessary to provide reimbursable services for the military departments, may be such as is deemed necessary by the Secretary of the Army; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard of the several States, Commonwealth

70A Stat. 614.

of Puerto Rico, and the District of Columbia, as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft); $241,000,000, of which not less than $1,900,000 shall be available only for the maintenance of real property facilities: *Provided*, That obligations may be incurred under this appropriation without regard to section 107 of title 32, United States Code. 70A Stat. 599.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For operation and maintenance of the Air National Guard, including medical and hospital treatment and related expenses; maintenance, operation, repair, and other necessary expenses of facilities for the training and administration of the Air National Guard, including repair of facilities, maintenance, operation, and modification of aircraft; transportation of things; hire of passenger motor vehicles; supplies, materials, and equipment, as authorized by law for the Air National Guard of the several States, Commonwealth of Puerto Rico, and the District of Columbia; and expenses incident to the maintenance and use of supplies, materials, and equipment, including such as may be furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, of Air National Guard commanders while inspecting units in compliance with National Guard regulations when specifically authorized by the Chief, National Guard Bureau; $272,570,000, of which not less than $2,500,000 shall be available only for the maintenance of real property facilities: *Provided*, That the number of caretakers authorized to be employed under the provisions of law (32 U.S.C. 709) may be such as is deemed necessary by the Secretary of the Air Force and such caretakers may be employed without regard to their military rank as members of the Air National Guard: *Provided further*, That obligations may be incurred under this appropriation without regard to section 107 of title 32, United States Code.

NATIONAL BOARD FOR THE PROMOTION OF RIFLE PRACTICE, ARMY

For the necessary expenses of construction, equipment, and maintenance of rifle ranges, the instruction of citizens in marksmanship, and promotion of rifle practice, in accordance with law, including travel of rifle teams, military personnel, and individuals attending regional, national, and international competitions, and not to exceed $21,000 for incidental expenses of the National Board; $428,000: *Provided*, That travel expenses of civilian members of the National Board shall be paid in accordance with the Standardized Government Travel Regulations, as amended.

CLAIMS, DEFENSE

For payment, not otherwise provided for, of claims authorized by law to be paid by the Department of Defense (except for civil functions), including claims for damages arising under training contracts with carriers, and repayment of amounts determined by the Secretary concerned, or officers designated by him, to have been erroneously collected from military and civilian personnel of the Department of Defense, or from States, territories, or the District of Columbia, or members of National Guard units thereof; $30,000,000.

* * * * *

TITLE VI

GENERAL PROVISIONS

* * * * *

Legal training, restriction.

SEC. 617. None of the funds provided in this Act shall be available for training in any legal profession nor for the payment of tuition for training in such profession: *Provided*, That this limitation shall not apply to the off-duty training of military personnel as prescribed by section 621 of this Act.

* * * * *

Tuition payments, etc., restriction.

SEC. 621. No appropriation contained in this Act shall be available for the payment of more than 75 per centum of charges of educational institutions for tutition or expenses for off-duty training of military personnel, nor for the payment of any part of tutition or expenses for such training for commissioned personnel who do not agree to remain on active duty for two years after completion of such training.

* * * * *

10. APPALACHIAN REGIONAL DEVELOPMENT ACT, AND PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT: 1967 AMENDMENTS

(Provisions Concerning Education and Training)
(Public Law 90-103, approved October 11, 1967)

A. LEGISLATIVE HISTORY

S. 602, a bill to amend the Appalachian Regional Development Act and the Public Works and Economic Development Act, was introduced on January 23, 1967, by Senator Jennings Randolph, of West Virginia, and other Senators. The bill was referred to the Committee on Public Works. Hearings on the bill were held before a Special Subcommittee on Economic Development, of the (Senate) Committee on Public Works on January 24, 25, 26, 31, and February 1, 2, and 3, 1967. S. 602 was reported in the Senate on April 6, 1967 (S. Rept. 159). It passed the Senate on April 27, 1967, and was referred to the (House) Committee on Public Works on April 28, 1967.

In the House, hearings on the "Appalachian Regional Development Act—1967" were held before the Ad Hoc Subcommittee on Appalachia of the Committee on Public Works on May 9, 10, 11, and July 12, 1967. On August 8, 1967, the Committee on Public Works reported S. 602 (H. Rept. 548). The bill passed the House, amended, on September 14, 1967. On September 19 1967, the Senate asked for a conference, and the House agreed to a conference. The conference report was filed on September 28, 1967 (H. Rept. 706). The House agreed to the conference report on September 28, 1967. The Senate agreed to the conference report on September 29, 1967, The act was approved by the President on October 11, 1967, and became Public Law 90–103.

B. Summary of Provisions Concerning Education and Training

The act contains several provisions concerning education and training, including the following:

Title I. Appalachian Regional Development Act Amendments of 1967.—The act authorizes the Secretary of Health, Education, and Welfare to make grants for demonstration health projects. The act authorizes the Secretary of Agriculture to make grants, enter into contracts or otherwise provide funds to colleges and other institutions of higher education for Appalachian hardwood products research, including studies and demonstrations.

For new and existing vocational education facilities, the act broadens eligibility for construction costs to include the cost of equipment.

The act provides for increasing the Federal share, not to exceed 80 percent, when the State is unable to meet the matching share requirements of a grant-in-aid program enacted on or before December 31, 1967. It authorizes $97 million for this purpose for the fiscal years 1968 and 1969. It lists among such grant-in-aid programs the Vocational Education Act of 1963, the Library Services Act, the Higher Education Facilities Act of 1963 and the National Defense Education Act of 1968.

Title II. Amendments to the Public Works and Economic Development Act of 1965. This title contains essentially the same provision for increasing the Federal share in a grant-in-aid program as is provided in title I above, except that the authorization for such purpose under title II is $15 million for 1968 and 1969.

C. Partial Text of the Act

Following is the text of certain parts of Public Law 90–103 concerning education and training. (Emphasis added.)

81 Stat. 257.

AN ACT To revise and extend the Appalachian Regional Development Act of 1965, and to amend the Public Works and Economic Development Act of 1965

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—APPALACHIAN REGIONAL DEVELOPMENT ACT AMENDMENTS OF 1967

* * * * *

"DEMONSTRATION HEALTH PROJECTS

"SEC. 202. (a) In order to demonstrate the value of adequate health facilities and services to the economic development of the region, the Secretary of Health, Education, and Welfare is authorized to make grants for the planning, construction, equipment, and operation of multicounty demonstration health projects, including hospitals, regional health diagnostic and treatment centers, and other facilities and services necessary to health. Grants for such construction (including the acquisition of privately owned facilities not operated for profit and initial equipment) shall be made in accordance with the applicable provisions of title VI of the Public Health Service Act (42 U.S.C. 291–291o), the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (77 Stat. 282), and other laws authorizing grants for the construction of health-related facilities, without regard to any provisions therein relating to appropriation authorization ceilings or to allotments among the States. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act and shall not be taken into account in the computation of the allotments among the States made pursuant to any other provision of law.

78 Stat. 447.
42 USC 2661 note.

* * * * *

79 Stat. 12.
40 USC app. 203.

SEC. 108. Subsection (i) of section 203 of the Act, entitled "LAND STABILIZATION, CONSERVATION, AND EROSION CONTROL", is amended to read as follows:

* * * * *

Hardwood products, research grants.

"(b) The Secretary of Agriculture is authorized to *provide technical assistance, make grants, enter into contracts, or otherwise provide funds, first to colleges, universities and other institutions of higher education (with priority to land grant schools), and thereafter to forest products research institutions in the region and other appropriate public and private organizations, which schools, institutions, and organizations have the demonstrated capability to perform such research, for Appalachian hardwood products research, including investigations, studies, and demonstrations,* which will further the purposes of this Act. Funds shall be provided only for programs and projects which will contribute significantly to the development of (1) Appalachian hardwood technology, (2) new or improved uses of Appalachian hardwood resources, (3) new or improved processes or methods for producing hardwood products, or (4) new or improved markets for such products. Funds under this section shall be provided solely out of sums specifically appropriated for the purpose of carrying out this Act, and shall not be taken into account in the allocation or distribution of funds pursuant to any other provision of law.

* * * * *

79 Stat. 16.
40 USC app. 211.

SEC. 113. (a) *Subsection (a) of section 211 of the Act, entitled "vocational education facilities", is amended by inserting before the word "needed" in the first sentence, the following: "and for the equipment of such facilities and other school facilities".*

* * * * *

"SUPPLEMENTS TO FEDERAL GRANT-IN-AID PROGRAMS

"SEC. 214. (a) In order to enable the people, States, and local communities of the region, including local development districts, to take maximum advantage of Federal grant-in-aid programs (as hereinafter defined) for which they are eligible but for which, because of their economic situation, they cannot supply the required matching share, the President is authorized to provide funds to the Federal Cochairman to be used for the sole purpose of increasing the Federal contribution to projects under Federal grant-in-aid programs, as hereafter defined above the fixed maximum portion of the cost of such projects otherwise authorized by the applicable law. Funds shall be so provided for Federal grant-in-aid programs for which funds are available under the Acts authorizing such programs and shall be available without regard to any appropriation authorization ceilings in such Acts. Any finding, report, certification, or documentation required to be submitted to the head of the department, agency, or instrumentality of the Federal Government responsible for the administration of any Federal grant-in-aid program shall be accepted by the Federal Cochairman with respect to a supplemental grant for any project under such program.

"(b) The Federal portion of such costs shall not be increased in excess of the percentages established by the Commission, and shall in no event exceed 80 per centum thereof.

"Federal grant-in-aid programs."

"(c) The term 'Federal grant-in-aid programs' as used in this section means those Federal grant-in-aid programs authorized by this Act for the construction or equipment of facilities, and all other Federal grant-in-aid programs authorized on or before December 31, 1967, by Acts other than this Act for the acquisition of land or the construction or equipment of facilities, including but not limited to grant-in-aid programs authorized by the following Acts; Federal Water Pollution Control Act; Watershed Protection and Flood Prevention Act; title VI of the Public Health Service Act: *Vocational Education Act of 1963; Library Services Act;* Federal Airport Act: part IV of title III of the Communications Act of 1934; *Higher Education Facilities Act of 1963;* Land and Water Conservation Fund Act of 1965: *National Defense Education Act of 1958.* The term shall not include (A) the program for the construction of the development highway system authorized by section 201 of this Act or any other program relating to highway or road construction, or (B) any other program for which loans or other Federal financial assistance, except a grant-in-aid program, is authorized by this or any other Act.

33 USC 466 note;
16 USC 1001 note;
42 USC 291;
20 USC 35 note,
351 note;
49 USC 1101 note;
47 USC 390-397;
20 USC 701 note;
16 USC 460*l*–4 note;
20 USC 401 note.
Ante, p. 258.

Post, p. 266.

"(d) Not to exceed $97,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

79 Stat. 18.
40 USC app. 221.

Sec. 117. (a) The first sentence of section 221 of the Act entitled "MAINTENANCE OF EFFORT", is amended by striking out "exclusive of Federal funds," and inserting in lieu thereof the following: "exclusive of expenditures for participation in the National System of Interstate and Defense Highways, and exclusive of local funds and Federal funds,"

* * * * *

81 Stat. 267.

"SUPPLEMENTS TO FEDERAL GRANT-IN-AID PROGRAMS

Ante, p. 266.

79 Stat. 566.
42 USC 3184.

"Sec. 509. (a) In order to enable the States and other entities within economic development regions established under this Act to take maximum advantage of Federal grant-in-aid programs (as hereinafter defined) for which they are eligible but for which, because of their economic situation, they cannot supply the required matching share, the Secretary shall, once a comprehensive long-range economic plan established pursuant to clause (2) of section 503(a) is in effect, provide funds pursuant to specific recommendations, to each of the Federal Cochairmen of the regional commissions heretofore or hereafter established under this title, to be used for the sole purpose of increasing the Federal contribution to projects under such programs above the fixed maximum portion of the cost of such projects otherwise authorized by the applicable law. No program or project authorized under this section shall be implemented until (1) applications and plans relating to the program or project have been determined by the responsible Federal official to be compatible with the provisions and objectives of Federal laws which he administers that are not inconsistent with this Act, and (2) the Regional Commission involved has approved such program or project and has determined that it meets the applicable criteria under section 504 and will contribute to the development of the region, which determination shall be controlling. Funds may be provided only for Federal grant-in-aid programs for which funds are available under the Act authorizing such programs. Funds so provided shall be available without regard to any appropriation authorization ceilings in such Act.

"(b) The Federal portion of such costs shall not be increased in excess of the percentages established by each commission, and shall in no event exceed 80 per centum thereof.

"Federal grant-in aid programs."

33 USC 466 note;
16 USC 1001 note;
42 USC 291; 20 USC 35 note, 351 note;
49 USC 1101 note;
47 USC 390-397;
20 USC 701 note;
16 USC 460l–4 note;
20 USC 401 note.

"(c) The term 'Federal grant-in-aid programs' as used in this section means all Federal grant-in-aid programs in existence on or before December 31, 1967, assisting in the acquisition of land or the construction or equipment of facilities, including but not limited to grant-in-aid programs authorized by title I of this Act and by the following Acts: Federal Water Pollution Control Act; Watershed Protection and Flood Prevention Act; title VI of the Public Health Service Act; *Vocational Education Act of 1963; Library Services Act;* Federal Airport Act; part IV of title III of the Communications Act of 1934; *Higher*

Education Facilities Act of 1963; Land and Water Conservation Fund Act of 1965; and *National Defense Education Act of 1958.* The term shall not include any program in which loans or other Federal financial assistance, except a grant-in-aid program, is authorized by this or any other Act. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this section, and shall not be taken into account in the computation of allocations among the States made pursuant to any other provision of law.

11. DEPARTMENT OF TRANSPORTATION APPROPRIATION ACT, 1968

(Public Law 90–112, approved October 23, 1967)

A. Legislative History

Hearings on Department of Transportation Appropriations for 1968 were held before a subcommittee of the House Committee on Appropriations at intervals from May 22, 1967, to June 13, 1967. Hearings on appropriations for this Department for the fiscal year 1968 were held before the subcommittee of the Senate Committee on Appropriations intermittently from August 1 to August 21, 1967.

H.R. 11456, making appropriations for the Department of Transportation for the fiscal year 1968 was introduced on July 13, 1967, by Representative Edward P. Boland, of Massachusetts. The bill was referred to the Committee on Appropriations. It was reported from that committee on July 13, 1967 (H. Rept. 484). It passed the House on July 18, 1967. It was reported in the Senate, from the Committee on Appropriations, on September 28, 1967 (S. Rept. 572). It passed the Senate, amended, and the Senate asked for a conference on October 5, 1967. The House agreed to a conference on October 9, 1967. The conference report was filed on October 12, 1967 (H. Rept. 768). The House agreed to the conference report on October 17, 1967. The Senate agreed to the conference report on October 18, 1967. The act was approved on October 23, 1967, and became Public Law 90–112.

B. Digest of Provisions Concerning Education and Training

The Department of Transportation administers some programs involving education or training for which appropriations are not separately identified in this act. However the act appropriates $24,300,000 specifically for Coast Guard Reserve training. The act also stipulates that payment for expenses of primary and secondary schooling for dependents of Coast Guard personnel stationed outside the continental United States may be made from the appropriation of $342,651,000 for operating expenses of the Coast Guard.

C. Text of Provisions Concerning Education and Training

Following is the text of certain provisions of Public Law 90–112 concerning education and training.

AN ACT Making appropriations for the Department of Transportation for the fiscal year ending June 30, 1968, and for other purposes

Department of Transportation Appropriation Act, 1968.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation for the fiscal year ending June 30, 1968, and for other purposes, namely:

* * * * *

TITLE II—COAST GUARD

Operating Expenses

80 Stat. 416.
81 Stat. 311.
81 Stat. 312.

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for, including hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; purchase of not to exceed sixteen passenger motor vehicles, of which fourteen shall be for replacement only; maintenance, operation, and repair of aircraft; recreation and welfare; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901; 80 Stat. 299); $342,651,000: *Provided*, That the number of aircraft on hand at any one time shall not exceed one hundred and seventy-nine exclusive of planes and parts stored to meet future attrition: *Provided further*, That, without regard to any provisions of law or Executive order prescribing minimum flight requirements, Coast Guard regulations which establish proficiency standards and maximum and minimum flying hours for this purpose may provide for the payment of flight pay at the rates prescribed in section 301 of title 37, United States Code, to certain members of the Coast Guard otherwise entitled to receive flight pay during the current fiscal year (1) who have held aeronautical ratings or designations for not less than fifteen years, or (2) whose particular assignment outside the United States or in Alaska, makes it impractical to participate in regular aerial flights: *Provided further*, That amounts equal to the obligated balances against the appropriations for "Operating expenses" for the two preceding years, shall be transferred to and merged with this appropriation, and such merged appropriation shall be available as one fund, except for accounting purposes of the Coast Guard, for the payment of obligations properly incurred against such prior year appropriations and against this appropriation: *Provided further*, That, except as otherwise authorized by the Act of September 30, 1950 (20 U.S.C. 236–244), this appropriation shall be available for expenses of primary and secondary schooling for dependents of Coast Guard personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents, and the Coast Guard may provide for

Payment of flight pay.

76 Stat. 461.

School expenses for dependents.
64 Stat. 1100.

the transportation of said dependents between such schools and their places of residence when the schools are not accessible to such dependents by regular means of transportation.

* * * * *

RESERVE TRAINING

For all necessary expenses for the Coast Guard Reserve, as authorized by law, including repayment to other Coast Guard appropriations for indirect expenses, for regular personnel, or reserve personnel while on active duty, engaged primarily in administration and operation of the reserve program; maintenance and operation of facilities; supplies, equipment, and services; and the maintenance, operation, and repair of aircraft; $24,300,000: *Provided*, That amounts equal to the obligated balances against the appropriations for "Reserve training" for the two preceding years shall be transferred to and merged with this appropriation, and such merged appropriation shall be available as one fund, except for accounting purposes of the Coast Guard, for the payment of obligations properly incurred against such prior year appropriations and against this appropriation. 81 Stat. 312. 81 Stat. 313.

* * * * *

12. DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATION ACT, 1968

(Public Law 90-113, approved October 24, 1967)

A. LEGISLATIVE HISTORY

Hearings on appropriations for the Department of Agriculture and related agencies for the fiscal year 1968 were held before a subcommittee of the House Committee on Appropriations at intervals from February 27 to May 12, 1967. Hearings on these appropriations were held before a subcommittee of the Senate Committee on Appropriations intermittently from April 3 to June 1, 1967.

H.R. 10509, the Department of Agriculture and Related Agencies Appropriation Act, 1968 was introduced on June 2, 1967, by Representative Jamie L. Whitten, of Mississippi. The bill was referred to the Committee on Appropriations. It was reported from that committee on June 2, 1967 (S. Rept. 330). It passed the House on June 6, 1967. It was reported in the Senate, from the Committee on Appropriations, on July 11, 1967 (S. Rept. 395). It passed the Senate, amended, on July 13, 1967, and the Senate asked for a conference on that date. The House agreed to a conference on August 14, 1967. The conference report was filed on October 9, 1967 (H. Rept. 746). The House and Senate both agreed to the conference report on October 10, 1967. The act was approved by the President on October 24, 1967, and became Public Law 90-113.

B. DIGEST OF PROVISIONS CONCERNING EDUCATION AND TRAINING

Some funds made available to the Department of Agriculture for educational and training purposes are included in appropriations for larger purposes and are not separately distinguishable in this act.

Research and demonstrations are major functions of the Department. Appropriations in Public Law 90–113 concerning or affecting education and training include: cooperative extension work, $81,917,500; special milk program, $104 million; school lunch program, $182,825,000; Office of Information, $1,928,000; and National Agricultural Library, $2,608,000.

C. TEXT OF CERTAIN PROVISIONS OF THE LAW

Following is the text of certain provisions of Public Law 89–166 concerning or affecting education and training.

AN ACT Making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1968, and for other purposes

Department of Agriculture and Related Agencies Appropriation Act, 1968.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1968, and for other purposes; namely:

DEPARTMENT OF AGRICULTURE

* * * * *

EXTENSION SERVICE

COOPERATIVE EXTENSION WORK, PAYMENT AND EXPENSES

67 Stat. 83;
69 Stat. 683;
76 Stat. 745.
60 Stat. 1089.

Payments to State and Puerto Rico: For payments for cooperative agricultural extension work under the Smith-Lever Act, as amended by the Act of June 26, 1953, the Act of August 11, 1955, and the Act of October 5, 1962 (7 U.S.C. 341–349), to be distributed under sections 3(b) and 3(c) of the Act, $80,347,500; and payments and contracts for such work under section 204(b)–205 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623–1624), $1,570,000; in all, $81,917,500: *Provided*, That funds hereby appropriated pursuant to section 3(c) of the Act of June 26, 1953, shall not be paid to any State or Puerto Rico prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.

Retirement and Employees' Compensation costs for extension agents: For cost of employer's share of Federal retirement and for reimbursement for benefits paid from the Employees' Compensation Fund for cooperative extension employees, $8,818,500.

Penalty mail: For costs of penalty mail for cooperative extension agents and State extension directors, $3,113,000.

60 Stat. 1087.

Federal Extension Service: For administration of the Smith-Lever Act, as amended by the Act of June 26, 1953, the Act of August 11, 1955, and the Act of October 5, 1962 (7 U.S.C. 341–349), and extension aspects of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627), and to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, $2,753,000.

* * * * *

CONSUMER AND MARKETING SERVICE

* * * * *

SPECIAL MILK PROGRAM

42 USC 1771 note.
49 Stat. 774.

For necessary expenses to carry out the Special Milk Program, as authorized by the Child Nutrition Act of 1966 (80 Stat. 885–890), $104,000,000 to be transferred from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c).

SCHOOL LUNCH PROGRAM

60 Stat. 230;
76 Stat. 944.

For necessary expenses to carry out the provisions of the National School Lunch Act, as amended (42 U.S.C. 1751–1760) and the applicable provisions of the Child Nutrition Act of 1966 (80 Stat. 885–890), $182,825,000, of which not less than $14,325,000 shall be used for the purposes of section 6 of the National School Lunch Act, including $5,000,000 for special assistance to needy schools, $3,500,000 for the pilot school breakfast program, $750,000 for the nonfood assistance program: *Provided*, That no part of this appropriation shall be used for nonfood assistance under section 5 of the National School Lunch Act, as amended: *Provided further*, That $45,000,000 shall be transferred to this appropriation from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), for purchase and distribution of agricultural commodities and other foods pursuant to section 6 of the National School Lunch Act.

* * * * *

OFFICE OF INFORMATION

SALARIES AND EXPENSES

34 Stat. 690

28 Stat. 612.

For necessary expenses of the Office of Information for the dissemination of agricultural information and the coordination of informational work and programs authorized by Congress in the Department, $1,928,000, of which total appropriation, not to exceed $587,000 may be used for farmers' bulletins which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of which shall be available to be delivered to or sent out under the addressed franks furnished by the Senators, Representatives, and Delegates in Congress, as they shall direct (7 U.S.C. 417), and not less than two hundred and thirty-two thousand two hundred and fifty copies for the use of the Senate and House of Representatives of part 2 of the annual report of the Secretary (known as the Yearbook of Agriculture) as authorized by section 73 of the Act of January 12, 1895 (44 U.S.C. 241): *Provided*, That in the preparation of motion pictures or exhibits by the Department, this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (58 Stat. 742), and not to exceed $10,000 shall be available for employment under 5 U.S.C. 3109.

NATIONAL AGRICULTURAL LIBRARY

SALARIES AND EXPENSES

For necessary expenses of the National Agricultural Library, $2,608,500: *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (58 Stat. 742), and not to exceed $35,000 shall be available for employment under 5 U.S.C. 3109. 80 Stat. 416.

* * * * *

13. INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATION ACT, 1968

(Public Law 90–121, approved November 3, 1967)

A. LEGISLATIVE HISTORY

In February, March, and April 1967, a subcommittee of the House Committee on Appropriations held hearings on independent offices and Department of Housing and Urban Development appropriations for the fiscal year 1968. In the Senate, hearings on these appropriations were held before a subcommittee of the Committee on Appropriations in June and July 1967.

H.R. 9960, the Independent Offices and Department of Housing and Urban Development Appropriation Act, 1968 was introduced on May 12, 1967, by Representative Joe L. Evins, of Tennessee. The bill was referred to the Committee on Appropriations. It was reported from that committee on May 12, 1967 (H. Rept. 259). It passed the House on May 17, 1967. It was reported in the Senate, from the Committee on Appropriations, on August 29, 1967 (S. Rept. 548). It passed the Senate, amended, and the Senate asked for a conference, on September 21, 1967. The House agreed to a conference on September 27, 1967. The conference report was filed on October 20, 1967 (H. Rept. 803). The House agreed to the conference report on October 24, 1967. The Senate also agreed to the conference report on October 24, 1967 but asked for a further conference. The House agreed to a further conference on October 25, 1967. The conference report was filed on October 25, 1967 (H. Rept. 822). The House and Senate both agreed to this conference report on October 26, 1967. The act was approved by the President on November 3, 1967, and became Public Law 90–121.

B. DIGEST OF APPROPRIATIONS AFFECTING EDUCATION AND TRAINING

Some funds made available to the independent offices and Department of Housing and Urban Development for educational and training purposes are included in appropriations for other functions and are not separately identifiable in this act. It includes, however, an appropriation of $495 million for the National Science Foundation, one of the two agencies of the Federal Government whose primary concern is education. Public Law 90–121 also includes the following specific appropriations: Veterans' Administration, readjustment benefits (largely for education and training), $427,200,000: Department of Housing and Urban Development, fellowships for city planning and urban studies, $500,000, and community development training programs $3 million.

C. TEXT OF PROVISIONS AFFECTING EDUCATION AND TRAINING

Following is the text of certain provisions of Public Law 90–121.

81 Stat. 341.

AN ACT Making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes

Independent Offices and Department of Housing and Urban Development Appropriation Act, 1968.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes, namely:

* * * * *

NATIONAL SCIENCE FOUNDATION

SALARIES AND EXPENSES

64 Stat. 149.
72 Stat. 1601.
33 USC 1121 note.
73 Stat. 431.
81 Stat. 350.
80 Stat. 416.

For expenses necessary to carry out the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875) Title IX of the National Defense Education Act of 1958 (42 U.S.C. 1876–1879), the National Sea Grant Colleges and Program Act of 1966 (80 Stat. 998) and the Act to establish a National Medal of Science (42 U.S.C. 1880–1881), including award of graduate fellowships; services as authorized by 5 U.S.C. 3109; purchase of two aircraft, maintenance and operation of three aircraft and purchase of flight services for research support; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901; 80 Stat. 299); rental of conference rooms in the District of Columbia; and reimbursement of the General Services Administration for security guard services; $495,000,000, to remain available until expended: *Provided,* That of the foregoing amount not less than $37,600,000 shall be available for tuition grants, and allowances in connection with a program of supplementary training for secondary school science and mathematics teachers: *Provided further,* That receipts for scientific support

80 Stat. 508;
Ante, p. 206.

4

services and materials furnished by the National Research Centers may be credited to this appropriation.

* * * * *

VETERANS ADMINISTRATION

* * * * *

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 31 (except section 1504), and 33–39), $427,200,000, to remain available until expended. 72 Stat. 1167; 80 Stat. 12–28. 38 USC 801, 1501–1901.

* * * * *

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

* * * * *

COMMUNITY DEVELOPMENT TRAINING PROGRAMS

For matching grants to States for training and related activities, and for expenses of providing technical assistance to State and local governmental or public bodies (including studies and publication of information), as authorized by title VIII of the Housing Act of 1964 (20 U.S.C. 801–805), $3,000,000. 78 Stat. 802.

* * * * *

81 Stat. 356.

FELLOWSHIPS FOR CITY PLANNING AND URBAN STUDIES

For fellowships for city planning and urban studies as authorized by section 810 of the Housing Act of 1964 (20 U.S.C. 811), $500,000. *Ante*, p. 167.

* * * * *

14. INCREASE OF FUNDS FOR DEVELOPMENT OF THE RYUKYU ISLANDS: INCLUDING FUNDS FOR TECHNICAL EDUCATION AND TRAINING

(Public Law 90–126, approved Nov. 4, 1967)

A. LEGISLATIVE HISTORY

H.R. 4903 was introduced by Representative Melvin Price, of Illinois, on February 6, 1967. The bill was referred to the Committee on Armed Services. It was reported from that committee on September 28, 1967 (H. Rept. 723). It passed the House, under suspension of the rules, on October 2, 1967. It was reported in the Senate, from the Committee on Armed Services, on October 23, 1967 (H. Rept. 674). It passed the Senate, amended, on October 24, 1967. The House agreed to the Senate amendment on October 26, 1967. The act was approved by the President on November 4, 1967, and became Public Law 90–126.

B. Digest of the Act

The act increases from $12 million to $17,500,000 the amount for the economic and social development of the Ryukyu Islands. Technical education and training constitute one of the principal means of such development. (H. Rept. 723, p. 14.)

C. Text of the Act

Following is the text of the act:

81 Stat. 363.

AN ACT To amend the Act providing for the economic and social development in the Ryukyu Islands

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act of July 12, 1960, Public Law 86–629, as amended (76 Stat. 742), is amended by striking out the figure "$12,000,000" and inserting the figure "$17,500,000" in place thereof.

Ryukyu Islands.
Funds, increase.
74 Stat. 462.

15. PUBLIC BROADCASTING ACT OF 1967

(Educational television and radio)

(Public Law 90–129, approved Nov. 7, 1967)

A. Legislative History

S. 1160, the Public Broadcasting Act of 1967, was introduced by Senator Warren G. Magnuson, of Washington, on March 2, 1967. The bill was referred to the Committee on Commerce. Hearings on the bill were held before the Subcommittee on Communications of the Committee on Commerce on April 11, 12, 13, 14, 25, 26, 27, and 28, 1967.

S. 1160 was reported in the Senate on May 11, 1967 (H. Rept. 222). It passed the Senate on May 17, 1967. It was referred to the Committee on Interstate and Foreign Commerce on May 22, 1967.

Hearings on the Public Television Act of 1967 were held before the Committee on Interstate and Foreign Commerce on July 11, 12, 13, 14, 17, 18, 19, 20, and 21, 1967. The committee was discharged. The bill passed the House, amended, on September 21, 1967.

On September 26, 1967, the Senate asked for a conference. On October 3, 1967 the House agreed to a conference. The conference report was filed on October 18, 1967 (H. Rept. 794). The House agreed to the conference report on October 19, 1967. The Senate agreed to the conference report on October 26, 1967. The act was approved on November 7, 1967, and became Public Law 90–129.

B. Digest of the Act

Public Broadcasting Act.—The act extends and expands the program of grants for the construction of educational television broadcasting facilities and authorizes assistance in the construction of noncommercial educational radio broadcasting facilities.

Authorizes appropriations of $10,500,000 for fiscal year 1968, $12,500,000 for fiscal year, 1969, and $15 million for fiscal year 1970 to carry out this act.

Limits the total grant for any fiscal year for the construction of noncommercial educational television and radio facilities to 8½ percent of such appropriations.

Authorizes the establishment of a nonprofit corporation known as the Corporation for Public Broadcasting, and authorizes it to: (a) facilitate the full development of educational broadcasting in which programs of high quality, obtained from diverse sources, will be made available to noncommercial educational television or radio broadcast stations, with strict adherence to objectivity and balance in all programs or series of programs of a controversial nature; (b) assist in the establishment and development of one or more systems of interconnection to be used for the distribution of educational television or radio programs so that all noncommercial educational television and radio broadcast stations that wish to may broadcast the programs at times chosen by the stations; (c) assist in the establishment and development of one or more systems of noncommercial educational television or radio broadcast stations throughout the United States; and (d) carry out its purposes and functions and engage in its activities in ways that will most effectively assure the maximum freedom of noncommercial educational television or radio broadcast systems and local stations from interference with or control of program content or other activities.

The act provides that the Board of Directors of the Corporation shall consist of 15 members appointed by the President, by and with the advice and consent of the Senate. Provides for the auditing of the Corporation's records annually. Authorizes appropriations for financing the Corporation. Requires the Corporation to submit to the President for transmittal to Congress an annual report of its operations, financial condition, accomplishments, and recommendations.

Provides that a noncommercial educational broadcasting station may not engage in editorializing or supporting any candidate for political office.

Prohibits the Public Broadcasting Corporation from owning or operating any television or radio broadcast station, system, network, interconnection, program production facility, or community antenna television system.

Defines "educational television or radio programs" to mean "programs which are primarily designed for educational or cultural purposes."

Authorizes the Secretary of Health, Education, and Welfare to conduct a comprehensive study of instructional television and radio (including broadcast, closed circuit, community antenna television, and instructional television fixed services and two-way communication of data links and computers) and their relationship to each other and to instructional materials such as videotapes, films, disks, computers, and other educational materials or devices, and such other aspects thereof as may be of assistance in determining whether and what Federal aid should be provided for instructional radio and television and the form that aid should take, and which may aid communities, institutions, or agencies in determining whether and to what extent such activities should be used.

Authorizes the appropriations of $500,000 for this study and requires that the study be submitted to the President for transmittal to the Congress on or before June 30, 1969.

C. TEXT OF THE ACT

Following is the text of Public Law 90–129:

AN ACT To amend the Communications Act of 1934 by extending and improving the provisions thereof relating to grants for construction of educational television broadcasting facilities, by authorizing assistance in the construction of noncommercial educational radio broadcasting facilities, by establishing a nonprofit corporation to assist in establishing innovative educational programs, to facilitate educational program availability, and to aid the operation of educational broadcasting facilities; and to authorize a comprehensive study of instructional television and radio; and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Public Broadcasting Act of 1967".

Public Broadcasting Act of 1967.

TITLE I—CONSTRUCTION OF FACILITIES

EXTENSION OF DURATION OF CONSTRUCTION GRANTS FOR EDUCATIONAL BROADCASTING

SEC. 101. (a) Section 391 of the Communications Act of 1934 (47 U.S.C. 391) is amended by inserting after the first sentence the following new sentence: "There are also authorized to be appropriated for carrying out the purposes of such section, $10,500,000 for the fiscal year ending June 30, 1968, $12,500,000 for the fiscal year ending June 30, 1969, and $15,000,000 for the fiscal year ending June 30, 1970."

76 Stat. 65.

(b) The last sentence of such section is amended by striking out "July 1, 1968" and inserting in lieu thereof "July 1, 1971".

MAXIMUM ON GRANTS IN ANY STATE

SEC. 102. Effective with respect to grants made from appropriations for any fiscal year beginning after June 30, 1967, subsection (b) of section 392 of the Communications Act of 1934 (47 U.S.C. 392(b)) is amended to read as follows:

"(b) The total of the grants made under this part from the appropriation for any fiscal year for the construction of noncommercial educational television broadcasting facilities and noncommercial educational radio broadcasting facilities in any State may not exceed 8½ per centum of such appropriation."

NONCOMMERCIAL EDUCATIONAL RADIO BROADCASTING FACILITIES

SEC. 103. (a) Section 390 of the Communications Act of 1934 (47 U.S.C. 390) is amended by inserting "noncommercial" before "educational" and by inserting "or radio" after television".

(b) Subsection (a) of section 392 of the Communications Act of 1934 (47 U.S.C. 392(a)) is amended by—

(1) inserting "noncommercial" before "educational" and by inserting "or radio" after "television" in so much thereof as precedes paragraph (1);

81 Stat. 365.
81 Stat. 366

(2) striking out clause (B) of such paragraph and inserting in lieu thereof "(B) in the case of a project for television facilities, the State noncommercial educational television agency or, in the case of a project for radio facilities, the State educational radio agency,";

(3) inserting "(i) in the case of a project for television facilities," after "(D)" and "noncommercial" before "educational" in paragraph (1)(D) and by inserting before the semicolon at the end of such paragraph ", or (ii) in the case of a project for radio facilities, a nonprofit foundation, corporation, or association which is organized primarily to engage in or encourage noncommercial educational radio broadcasting and is eligible to receive a license from the Federal Communications Commission; or meets the requirements of clause (i) and is also organized to engage in or encourage such radio braodcasting and is eligible for such a license for such a radio station";

(4) striking out "or" immediately preceding "(D)" in paragraph (1), and by striking out the semicolon at the end of such paragraph and inserting in lieu thereof the following: ", or (E) a municipality which owns and operates a broadcasting facility transmitting only noncommercial programs;";

(5) striking out "television" in paragraphs (2), (3), and (4) of such subsection;

(6) striking out "and" at the end of paragraph (3), striking out the period at the end of paragraph (4) and inserting in lieu thereof "; and ", and inserting after paragraph (4) the following new paragraph:

"(5) that, in the case of an application with respect to radio broadcasting facilities, there has been comprehensive planning for educational broadcasting facilities and services in the area the applicant proposes to serve and the applicant has participated in such planning, and the applicant will make the most efficient use of the frequency assignment."

(c) Subsection (c) of such section is amended by inserting "(1)" after "(c)" and "noncommercial" before "educational television broadcasting facilities", and by inserting at the end thereof the following new paragraph:

"(2) In order to assure proper coordination of construction of noncommercial educational radio broadcasting facilities within each State which has established a State educational radio agency, each applicant for a grant under this section for a project for construction of such facilities in such State, other than such agency, shall notify such agency of each application for such a grant which is submitted by it to the Secretary, and the Secretary shall advise such agency with respect to the disposition of each such application."

(d) Subsection (d) of such section is amended by inserting "noncommercial" before "educational television" and inserting "or noncommercial educational radio broadcasting facilities, as the case may be," after "educational radio broadcasting facilities" in clauses (2) and (3).

(e) Subsection (f) of such section is amended by inserting "or radio" after "television" in the part thereof which precedes paragraph (1), by inserting "noncommercial" before "educational television purposes" in paragraph (2) thereof, and by inserting "or noncommercial educational radio purposes, as the case may be" after "educational television purposes" in such paragraph (2).

76 Stat. 67.

(f)(1) Paragraph (2) of section 394 of such Act (47 U.S.C. 394) is amended by inserting "or educational radio broadcasting facilities" after "educational television broadcasting facilities," and by inserting "or radio broadcasting, as the case may be" after "necessary for television broadcasting".

81 Stat. 366
81 Stat. 367

(2) Paragraph (4) of such section is amended by striking out "The term 'State educational television agency' means" and inserting in lieu thereof "The terms 'State educational television agency' and 'State educational radio agency' mean, with respect to television broadcasting and radio broadcasting, respectively," and by striking out "educational television" in clauses (A) and (C) and inserting in lieu therof "such broadcasting".

76 Stat. 67.

(g) Section 397 of such Act (47 U.S.C. 397) is amended by inserting "or radio" after "television" in clause (2).

FEDERAL SHARE OF COST OF CONSTRUCTION

SEC. 104. Subsection (e) of section 392 of the Communications Act of 1934 (47 U.S.C. 392(e)) is amended to read as follows:

"(e) Upon approving any application under this section with respect to any project, the Secretary shall make a grant to the applicant in the amount determined by him, but not exceeding 75 per centum of the amount determined by the Secretary to be the reasonable and necessary cost of such project. The Secretary shall pay such amount from the sum available therefor, in advance or by way of reimbursement, and in such installments consistent with construction progress, as he may determine."

INCLUSION OF TERRITORIES

SEC. 105. (a) Paragraph (1) of section 394 of the Communications Act of 1934 is amended by striking out "and" and inserting a comma in lieu thereof, and by inserting before the period at the end thereof ", the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands".

(b) Paragraph (4) of such section is amended by inserting "and, in the case of the Trust Territory of the Pacific Islands, means the High Commissioner thereof" before the period at the end thereof.

INCLUSION OF COSTS OF PLANNING

47 USC 394.

SEC. 106. Paragraph (2) of section 394 of the Communications Act of 1934 is further amended by inserting at the end thereof the following: "In the case of apparatus the acquisition and installation of which is so included, such term also includes planning therefor."

TITLE II—ESTABLISHMENT OF NONPROFIT EDUCATIONAL BROADCASTING CORPORATION

76 Stat. 64.
47 USC 390-397.

SEC. 201. Part IV of title III of the Communications Act of 1934 is further amended by—

(1) inserting

"SUBPART A—GRANTS FOR FACILITIES"

immediately above the heading of section 390;

(2) striking out "part" and inserting in lieu thereof "subpart" in sections 390, 393, 395, and 396;

(3) redesignating section 397 as section 398, and redesignating section 394 as section 397 and inserting it before such section 398, and inserting immediately above its heading the following:

"SUBPART C—GENERAL"

81 Stat. 367.

(4) redesignating section 396 as section 394 and inserting it immediately after section 393;

81 Stat. 368.

(5) inserting after "broadcasting" the first time it appears in clause (2) of the section of such part IV redesignated herein as section 398 ", or over the Corporation or any of its grantees or contractors, or over the charter or bylaws of the Corporation,".

(6) inserting in the section of such part IV herein redesignated as section 397 the following new paragraphs:

"Corporation."

"(6) The term 'Corporation' means the Corporation authorized to be established by subpart B of this part.

"Noncommercial educational broadcast station."

"(7) The term 'noncommercial educational broadcast station' means a television or radio broadcast station, which (A) under the rules and regulations of the Federal Communications Commission in effect on the date of enactment of the Public Broadcasting Act of 1967, is eligible to be licensed or is licensed by the Commission as a noncommercial educational radio or television broadcast station and which is owned and operated by a public agency or nonprofit private foundation, corporation, or association or (B) is owned and operated by a municipality and which transmits only noncommercial programs for educational purposes.

"Interconnection."

"(8) The term 'interconnection' means the use of microwave equipment, boosters, translators, repeaters, communication space satellites, and other apparatus or equipment for the transmission and distribution of television or radio programs to noncommercial educational television or radio broadcast stations.

"Educational television or radio programs."

"(9) The term 'educational television or radio programs' means programs which are primarily designed for educational or cultural purposes."

(7) striking out the heading of such part IV and inserting in lieu thereof the following:

"PART IV—GRANTS FOR NONCOMMERCIAL EDUCATIONAL BROADCASTING FACILITIES; CORPORATION FOR PUBLIC BROADCASTING"

(8) inserting immediately after the section herein redesignated as section 398 the following:

"EDITORIALIZING AND SUPPORT OF POLITICAL CANDIDATES PROHIBITED

"SEC. 399. No noncommercial educational broadcasting station may engage in editorializing or may support or oppose any candidate for political office."

(9) inserting after section 395 the following new subpart:

"SUBPART B—CORPORATION FOR PUBLIC BROADCASTING

"Congressional Declaration of Policy

"SEC. 396. (a) The Congress hereby finds and declares—

"(1) that it is in the public interest to encourage the growth and development of noncommercial educational radio and television broadcasting, including the use of such media for instructional purposes;

"(2) that expansion and development of noncommercial educational radio and television broadcasting and of diversity of its programing depend on freedom, imagination, and initiative on both the local and national levels;

"(3) that the encouragement and support of noncommercial educational radio and television broadcasting, while matters of importance for private and local development, are also of appropriate and important concern to the Federal Government;

"(4) that it furthers the general welfare to encourage noncommercial educational radio and television broadcast programing which will be responsive to the interests of people both in particular localities and throughout the United States, and which will constitute an expression of diversity and excellence: 81 Stat. 368 81 Stat. 369

"(5) that it is necessary and appropriate for the Federal Government to complement, assist, and support a national policy that will most effectively make noncommercial educational radio and television service available to all the citizens of the United States; 81 Stat. 369

"(6) that a private corporation should be created to facilitate the development of educational radio and television broadcasting and to afford maximum protection to such broadcasting from extraneous interference and control.

"Corporation Established

"(b) There is authorized to be established a nonprofit corporation, to be known as the 'Corporation for Public Broadcasting', which will not be an agency or establishment of the

United States Government. The Corporation shall be subject to the provisions of this section, and, to the extent consistent with this section, to the District of Columbia Nonprofit Corporation Act. 76 Stat. 265. D.C. Code 29-1001.

"Board of Directors

"(c)(1) The Corporation shall have a Board of Directors (hereinafter in this section referred to as the 'Board'), consisting of fifteen members appointed by the President, by and with the advice and consent of the Senate. Not more than eight members of the Board may be members of the same political party.

"(2) The members of the Board (A) shall be selected from among citizens of the United States (not regular fulltime employees of the United States) who are eminent in such fields as education, cultural and civic affairs, or the arts, including radio and television; (B) shall be selected so as to provide as nearly as practicable a broad representation of various regions of the country, various professions and occupations, and various kinds of talent and experience appropriate to the functions and responsibilities of the Corporation.

"(3) The members of the initial Board of Directors shall serve as incorporators and shall take whatever actions are necessary to establish the Corporation under the District of Columbia Nonprofit Corporation Act.

Term of office.

"(4) The term of office of each member of the Board shall be six years; except that (A) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and (B) the terms of office of members first taking office shall begin on the date of incorporation and shall expire, as designated at the time of their appointment, five at the end of two years, five at the end of four years, and five at the end of six years. No member shall be eligible to serve in excess of two consecutive terms of six years each. Notwithstanding the preceding provisions of this paragraph, a member whose term has expired may serve until his successor has qualified.

"(5) Any vacancy in the Board shall not affect its power, but shall be filled in the manner in which the original appointments were made.

"Election of Chairman; Compensation

"(d)(1) The President shall designate one of the members first appointed to the Board as Chairman; thereafter the members of the Board shall annually elect one of their number as Chairman. The members of the Board shall also elect one or more of them as a Vice Chairman or Vice Chairmen.

81 Stat. 370.

"(2) The members of the Board shall not, by reason of such membership, be deemed to be employees of the United States. They shall, while attending meetings of the Board or while engaged in duties related to such meetings or in other activities of the Board pursuant to this subpart be entitled to receive compensation at the rate of $100 per day including travel time and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, equal to that authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently. 80 Stat. 499.

"Officers and Employees

"(e) (1) The Corporation shall have a President, and such other officers as may be named and appointed by the Board for terms and at rates of compensation fixed by the Board. No individual other than a citizen of the United States may be an officer of the Corporation. No officer of the Corporation, other than the Chairman and any Vice Chairman, may receive any salary or other compensation from any source other than the Corporation during the period of his employment by the Corporation. All officers shall serve at the pleasure of the Board.

"(2) Except as provided in the second sentence of subsection (c) (1) of this section, no political test or qualification shall be used in selecting, appointing, promoting, or taking other personnel actions with respect to officers, agents, and employees of the Corporation.

"Nonprofit and Nonpolitical Nature of the Corporation

"(f) (1) The Corporation shall have no power to issue any shares of stock, or to declare or pay any dividends.

"(2) No part of the income or assets of the Corporation shall inure to the benefit of any director, officer, employee, or any other individual except as salary or reasonable compensation for services.

"(3) The Corporation may not contribute to or otherwise support any political party or candidate for elective public office.

"Purposes and Activities of the Corporation

"(g)(1) In order to achieve the objectives and to carry out the purposes of this subpart, as set out in subsection (a), the Corporation is authorized to—

"(A) facilitate the full development of educational broadcasting in which programs of high quality, obtained from diverse sources, will be made available to noncommercial educational television or radio broadcast stations, with strict adherence to objectivity and balance in all programs or series of programs of a controversial nature;

"(B) assist in the establishment and development of one or more systems of interconnection to be used for the distribution of educational television or radio programs so that all noncommercial educational television or radio broadcast stations that wish to may broadcast the programs at times chosen by the stations;

"(C) assist in the establishment and development of one or more systems of noncommercial educational television or radio broadcast stations throughout the United States;

"(D) carry out its purposes and functions and engage in its activities in ways that will most effectively assure the maximum freedom of the noncommercial educational television or radio broadcast systems and local stations from interference with or control of program content or other activities.

81 Stat. 370.
81 Stat. 371.

"(2) Included in the activities of the Corporation authorized for accomplishment of the purposes set forth in subsection (a) of this section, are, among others not specifically named—

"(A) to obtain grants from and to make contracts with individuals and with private, State, and Federal agencies, organizations, and institutions;

"(B) to contract with or make grants to program production entities, individuals, and selected noncommercial educational broadcast stations for the production of, and otherwise to procure, educational television or radio programs for national or regional distribution to noncommercial educational broadcast stations;

"(C) to make payments to existing and new noncommercial educational broadcast stations to aid in financing local educational television or radio programing costs of such stations, particularly innovative approaches thereto, and other costs of operation of such stations;

"(D) to establish and maintain a library and archives of noncommercial educational television or radio programs and related materials and develop public awareness of and disseminate information about noncommercial educational television or radio broadcasting by various means, including the publication of a journal;

"(E) to arrange, by grant or contract with appropriate public or private agencies, organizations, or institutions, for interconnection facilities suitable for distribution and transmission of educational television or radio programs to noncommercial educational broadcast stations;

"(F) to hire or accept the voluntary services of consultants, experts, advisory boards, and panels to aid the Corporation in carrying out the purposes of this section;

"(G) to encourage the creation of new noncommercial educational broadcast stations in order to enhance such service on a local, State, regional, and national basis;

"(H) conduct (directly or through grants or contracts) research, demonstrations, or training in matters related to non-commercial educational television or radio broadcasting.

"(3) To carry out the foregoing purposes and engage in the foregoing activities, the Corporation shall have the usual powers conferred upon a nonprofit corporation by the District of Columbia Nonprofit Corporation Act, except that the Corporation may not own or operate any television or radio broadcast station, system, or network, community antenna television system, or interconnection or program production facility.

76 Stat. 265.
D.C. Code 29-1001.

"Authorization for Free or Reduced Rate Interconnection Service.

"(h) Nothing in the Communications Act of 1934, as amended, or in any other provision of law shall be construed to prevent United States communications common carriers from rendering free or reduced rate communications interconnection services for noncommercial educational television or radio services, subject to such rules and regulations as the Federal Communications Commission may prescribe. 48 Stat. 1064. 47 USC 609.

"Report to Congress

"(i) The Corporation shall submit an annual report for the preceding fiscal year ending June 30 to the President for transmittal to the Congress on or before the 31st day of December of each year. The report shall include a comprehensive and detailed report of the Corporation's operations, activities, financial condition, and accomplishments under this section and may include such recommendations as the Corporation deems appropriate. 81 Stat. 371. 81 Stat. 372.

"Right To Repeal, Alter, or Amend

"(j) The right to repeal, alter, or amend this section at any time is expressly reserved.

"Financing

"(k)(1) There are authorized to be appropriated for expenses of the Corporation for the fiscal year ending June 30, 1968, the sum of $9,000,000, to remain available until expended.

"(2) Notwithstanding the preceding provisions of this section, no grant or contract pursuant to this section may provide for payment from the appropriation for the fiscal year ending June 30, 1968, for any one project or to any one station of more than $250,000.

"Records and Audit

"(l)(1)(A) The accounts of the Corporation shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audits shall be conducted at the place or places where the accounts of the Corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the Corporation and necessary to facilitate the audits shall be made available to the person or persons conducting the audits; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents and custodians shall be afforded to such person or persons.

"(B) The report of each such independent audit shall be included in the annual report required by subsection (i) of this section. The audit report shall set forth the scope of the audit and include such statements as are necessary to present fairly the Corporation's assets and liabilities, surplus or deficit, with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the Corporation's income and expenses during the year, and a statement of the sources and application of funds, together with the independent auditor's opinion of those statements.

GAO audit.

"(2)(A) The financial transactions of the Corporation for any fiscal year during which Federal funds are available to finance any portion of its operations may be audited by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. Any such audit shall be conducted at the place or places where accounts of the Corporation are normally kept. The representative of the General Accounting Office shall have access to all books, accounts, records, reports, files, and all other papers, things, or property belonging to or in use by the Corporation pertaining to its financial transactions and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians. All such books, accounts, records, reports, files, papers and property of the Corporation shall remain in possession and custody of the Corporation.

81 Stat. 372.
81 Stat. 373.
Report to Congress.

"(B) A report of each such audit shall be made by the Comptroller General to the Congress. The report to the Congress shall contain such comments and information as the Comptroller General may deem necessary to inform Congress of the financial operations and condition of the Corporation, together with such recommendations with respect thereto as he may deem advisable. The report shall also show specifically any program, expenditure, or other financial transaction or undertaking observed in the course of the audit, which, in the opinion of the Comptroller General, has been carried on or made without authority of law. A copy of each report shall be furnished to the President, to the Secretary, and to the Corporation at the time submitted to the Congress.

Copy to President, etc.

Records, maintenance and access.

"(3)(A) Each recipient of assistance by grant or contract, other than a fixed price contract awarded pursuant to competitive bidding procedures, under this section shall keep such records as may be reasonably necessary to fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(B) The Corporation or any of its duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of

"(B) The report of each such independent audit shall be included in the annual report required by subsection (i) of this section. The audit report shall set forth the scope of the audit and include such statements as are necessary to present fairly the Corporation's assets and liabilities, surplus or deficit, with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the Corporation's income and expenses during the year, and a statement of the sources and application of funds, together with the independent auditor's opinion of those statements.

GAO audit.

"(2)(A) The financial transactions of the Corporation for any fiscal year during which Federal funds are available to finance any portion of its operations may be audited by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. Any such audit shall be conducted at the place or places where accounts of the Corporation are normally kept. The representative of the General Accounting Office shall have access to all books, accounts, records, reports, files, and all other papers, things, or property belonging to or in use by the Corporation pertaining to its financial transactions and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians. All such books, accounts, records, reports, files, papers and property of the Corporation shall remain in possession and custody of the Corporation.

81 Stat. 372.
81 Stat. 373.
Report to Congress.

"(B) A report of each such audit shall be made by the Comptroller General to the Congress. The report to the Congress shall contain such comments and information as the Comptroller General may deem necessary to inform Congress of the financial operations and condition of the Corporation, together with such recommendations with respect thereto as he may deem advisable. The report shall also show specifically any program, expenditure, or other financial transaction or undertaking observed in the course of the audit, which, in the opinion of the Comptroller General, has been carried on or made without authority of law. A copy of each report shall be furnished to the President, to the Secretary, and to the Corporation at the time submitted to the Congress.

Copy to President, etc.

Records, maintenance and access.

"(3)(A) Each recipient of assistance by grant or contract, other than a fixed price contract awarded pursuant to competitive bidding procedures, under this section shall keep such records as may be reasonably necessary to fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(B) The Corporation or any of its duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance received under this section. The Comptroller General of the United States or any of his duly authorized representatives shall also have access thereto for such purpose during any fiscal year for which Federal funds are available to the Corporation."

TITLE III—STUDY OF EDUCATIONAL AND INSTRUCTIONAL BROADCASTING

STUDY AUTHORIZED

SEC. 301. The Secretary of Health, Education, and Welfare is authorized to conduct, directly or by contract, and in consultation with other interested Federal agencies, a comprehensive study of instructional television and radio (including broadcast, closed circuit, community antenna television, and instructional television fixed services and two-way communication of data links and computers) and their relationship to each other and to instructional materials such as videotapes, films, discs, computers, and other educational materials or devices, and such other aspects thereof as may be of assistance in determining whether and what Federal aid should be provided for instructional radio and television and the form that aid should take, and which may aid communities, institutions, or agencies in determining whether and to what extent such activities should be used.

DURATION OF STUDY

81 Stat. 373.

SEC. 302. The study authorized by this title shall be submitted to the President for transmittal to the Congress on or before June 30, 1969.

APPROPRIATION

SEC. 303. There are authorized to be appropriated for the study authorized by this title such sums, not exceeding $500,000, as may be necessary.

16. DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS ACT, 1968

(Public Law 90–132, approved November 8, 1967)

A. LEGISLATIVE HISTORY

Hearings on the Departments of Labor and Health, Education, and Welfare Appropriations for 1968 were held before a subcommittee of the House Committee on Appropriations intermittently from March 1 to May 2, 1968. Hearings on appropriations to these Departments were held before the subcommittee of the Senate Committee on Appropriations at intervals from March 13 to June 26, 1967.

H.R. 10196, the Departments of Labor and Health, Education, and Welfare and related agencies Appropriation Act, 1968 was introduced on May 22, 1967, by Representative Daniel J. Flood, of

Pennsylvania. The bill was referred to the Committee on Appropriations. It was reported from that committee on May 22, 1967 (H. Rept. 271). It passed the House on May 25, 1967. It was reported in the Senate, from the Committee on Appropriations, on August 1, 1967 (S. Rept. 469). It passed the Senate, amended and the Senate asked for a conference on August 2, 1967. The House agreed to a conference on August 14, 1967. The conference report was filed on October 3, 1967 (H. Rept. 729). The conference report was recommitted with instructions on October 4, 1967. The second conference report was filed on October 26, 1967 (H. Rept. 831), and the House agreed to the conference report on that date. The Senate agreed to the conference report on October 27, 1967. The act was approved on November 8, 1967, and became Public Law 90-132.

B. SUMMARY OF CERTAIN APPROPRIATIONS FOR EDUCATIONAL AND TRAINING PURPOSES

Following is a summary list of the fiscal year 1968 appropriations for the Office of Education and for certain institutions, and programs of other agencies, that are identifiable in this act as being concerned wholly or partly with education or training. Appropriations for some other programs concerned wholly or partly with education or training appear in the text of the act.

Department of Labor:	
Manpower Administration: Manpower development and training activities	$385,497,000
Bureau of Apprenticeship and Training salaries and expenses	8,267,000
Department of Health, Education, and Welfare:	
Office of Education:	
Elementary and secondary educational activities	1,677,907,000
School assistance in Federally affected areas	439,137,000
Teachers Corps	13,500,000
Higher educational activities	1,158,194,000
Expansion and improvement of vocational education	252,900,000
Libraries and community services	156,500,000
Educational improvement for the handicapped	53,400,000
Research and training	90,967,000
Salaries and expenses	37,385,000
Participation sales authorizations	100,000,000
Payment of participation sales insufficiencies	925,000
Vocational Rehabilitation Administration:	
Grants for rehabilitation services and facilities	311,550,000
Research and training	63,937,000
Research and training (special foreign currency program)	5,000,000
Grants for correctional rehabilitation study	800,000
Salaries and expenses	5,319,000
Health Manpower:	
Health manpower education and utilization	164,663,000
Construction of health educational facilities	203,000,000
National Institutes of Health:	
National Cancer Institute	183,356,000
National Institute of General Medical Sciences	160,284,000
General Research and Services, National Institutes of Health	81,141,000
John E. Fogarty International Center for Advanced Study in the Health Sciences	500,000
National Library of Medicine	19,912,000

Welfare Administration:	
Grants for maternal and child welfare	$235, 600, 000
Administration on Aging:	
Coordination and development of programs for the aging	18, 450, 000
Special Institutions:	
American Printing House for the Blind	1, 225, 000
National Technical Institute for the Deaf	2, 615, 000
Model secondary school for the deaf, salaries and expenses	425, 000
Model secondary school for the deaf, construction	275, 000
Gallaudet College, salaries and expenses	2, 878, 000
Gallaudet College, construction	2, 196, 000
Howard University, salaries and expenses	15, 300, 000
Howard University, construction	3, 926, 000
Freedmen's Hospital, salaries and expenses	6, 700, 000
Office of the Secretary:	
Salaries and expenses	7, 139, 000
Foreign Language training and area programs	15, 700, 000

C. TEXT OF CERTAIN PROVISIONS OF THE ACT

Following is the text of certain provisions of Public Law 90–132 that are determinable from this act as being concerned with education and/or training. (Emphasis added.)

81 Stat. 386.

AN ACT Making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1968, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1968, and for other purposes, namely:

Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1968.

TITLE I—*DEPARTMENT OF LABOR*

MANPOWER ADMINISTRATION

MANPOWER DEVELOPMENT AND TRAINING ACTIVITIES

For expenses, not otherwise provided for, necessary to carry into effect the Manpower Development and Training Act of 1962, as amended (42 U.S.C. 2571–2620), *$385,497,000*, to remain available until June 30, 1969. 76 Stat. 23.

*   *   *   *   *

BUREAU OF APPRENTICESHIP AND TRAINING, SALARIES AND EXPENSES

For necessary expenses for encouraging apprentice training programs, as authorized by the Acts of March 4, 1913 and August 16, 1937 (37 Stat. 736, as amended, 29 U.S.C. 50), and for performing functions under the Manpower Development and Training Act of 1962, as amended, *$8, 267,000*.

29 USC 551.
50 Stat. 664.

*   *   *   *   *

TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

*   *   *   *   *

OFFICE OF EDUCATION

ELEMENTARY AND SECONDARY EDUCATIONAL ACTIVITIES

79 Stat. 27;
80 Stat. 1191.
20 USC 241a-241m.
20 USC 821-870.
72 Stat. 1588;
78 Stat. 1102;
79 Stat. 1254;
80 Stat. 1070, 1245.

For grants, loans, and payments under title II of the Act of September 30, 1950, as amended by title I of the Elementary and Secondary Education Act of 1965 and title I of the Elementary and Secondary Education Amendments of 1966, under titles II, III, and V of said 1965 Act as amended by said 1966 Amendments, and under titles III, V, and XI, of the National Defense Education Act of 1958, as amended (20 U.S.C. ch. 17; Public Laws 88–665, 89–329, 89–698, and 89–752), *$1,677,907,000*, of which $1,191,000,000 shall be for meeting the special educational needs of educationally deprived children under title II of the Act of September 30, 1950, as amended, but the aggregate amounts otherwise available for grants therefor within States shall not be less than the amounts allocated from the fiscal year 1967 appropriation to local educational agencies in such States for grants; $104,457,000 shall be for school library resources, textbooks, and other instructional materials under title II of said Elementary and Secondary Education Act of 1965; $208,750,000 shall be for supplementary educational centers and services under title III of said Act; $29,750,000 shall be for strengthening State departments of education under title V of said Act; $82,200,000 shall be for grants to States and loans to nonprofit private schools for equipment and minor remodeling under title III of the National Defense Education Act of 1958, as amended, and for grants to States for administrative services under said title III; and $24,500,000 shall be for grants to States for testing, guidance, and counseling under title V of said Act: *Provided*, That allotments under sections 302(a) and 305 for equipment and minor remodeling shall be made on the basis of $79,200,000 for grants to States and on the basis of $6,409,491 for loans to private nonprofit schools, and allotments under section 302(b) for administrative services shall be made on the basis of $2,000,000.

SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

64 Stat. 1100;
79 Stat. 27.
72 Stat. 548.

For grants and payments under the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and under the Act of September 23, 1950, as amended (20 U.S.C., ch. 19), *$439,137,000*, of which $416,200,000 shall be for payments to local educational agencies for the maintenance and operation of schools as authorized by the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and $22,937,000, which shall remain available until expended, shall be for providing school facilities and for grants to local educational agencies in federally affected areas as authorized by said Act of September 23, 1950: *Provided*, That this appropriation shall also be available for carrying out the provisions of section 6 of the Act of September 30, 1950: *Provided further*, That applications filed on or before June 30, 1967, shall receive priority over applications filed after such date: *Provided further*, That no part of this appropriation for payments to local educational agencies for the maintenance and operation of schools shall be available to carry out the provisions of legislation for this purpose enacted after June 30, 1967.

TEACHER CORPS

For the Teacher Corps authorized in part B of title V of the Higher Education Act of 1965, as amended, *$13,500,000* for the purposes of section 514 of said Act: *Provided*, That none of these funds may be used to pay in excess of 90 per centum of the salary and other emoluments in the Teacher Corps: *Provided further*, That none of these funds may be spent on behalf of any Teacher Corps program in any local school system prior to approval of such program by the State educational agency of the State in which the school system is located.

81 Stat. 392.

79 Stat. 1255;
Ante, pp. 84-87, 94.
20 USC 1101-1107.

HIGHER EDUCATIONAL ACTIVITIES

For grants, loans, contracts, payments, and advances under titles III, IV (except payments under parts C and D), V (except part B) and VI of the Higher Education Act of 1965 as amended, under the Higher Education Facilities Act of 1963, as amended, under titles II and IV of the National Defense Education Act of 1958, as amended (20 U.S.C. ch. 17), under section 22 of the Act of June 29, 1935, as amended (7 U.S.C. 329), and for grants under part C of title I of the Economic Opportunity Act of 1964, as amended, *$1,158,194,000* of which $30,000,000 shall be for the purposes of title III of the Higher Education Act of 1965, $144,600,000 shall be for programs under part A of title IV of that Act of which $140,600,000 shall be for educational opportunity grants and shall remain available through June 30, 1969, $40,000,000 to remain available until expended shall be for interest payments for loan insurance programs under part B of title IV of that Act, $35,000,000 shall be for the program under part C of title V of that Act, $17,000,000 shall be for the purposes of title VI of the Act of which amounts reallotted under part A shall remain available through June 30, 1969, $139,900,000 shall be for grants for college work-study programs under part C of title I of the Economic Opportunity Act of 1964 of which amounts reallotted shall remain available through June 30, 1969, $100,000,000 shall be for grants for construction of public community colleges and technical institutes and $300,000,000 shall be for grants for construction of other academic facilities under title I of the Higher Education Facilities Act of 1963 which amounts shall remain available through June 30, 1969, $50,000,000 to remain available until expended shall be for grants for construction of graduate academic facilities under title II of that Act, $192,000,000 shall be for capital contributions to student loan funds and loans for non-Federal capital contributions to student loan funds under title II of the National Defense Education Act of 1958, of which not to exceed $2,000,000 shall be for such loans for non-Federal contributions, and $11,950,000 shall be for the purposes of section 22 of the Act of June 29, 1935.

79 Stat. 1219.
20 USC 1001 note.
77 Stat. 363.
20 USC 701 note.
72 Stat. 1583.
74 Stat. 525.
78 Stat. 513.
42 USC 2751-2756.

EXPANSION AND IMPROVEMENT OF VOCATIONAL EDUCATION

60 Stat. 775;
70 Stat. 925;
72 Stat. 1598.
46 Stat. 1489.
64 Stat. 27.
70 Stat. 909.
76 Stat. 586.
79 Stat. 1041.
20 USC 998.
77 Stat. 405.
81 Stat. 393.
77 Stat. 405.
79 Stat. 1037.
20 USC 981 note.
20 USC 35k.

For carrying out the provisions of titles I, II, and III of the Vocational Education Act of 1946, as amended (20 U.S.C. 15i–15m, 15o–15q, 15aa–15jj, 15aaa–15ggg), section 1 of the Act of March 3, 1931 (20 U.S.C. 30), the Act of March 18, 1950 (20 U.S.C. 31–33), section 9 of the Act of August 1, 1956 (20 U.S.C. 34), section 2 of the Act of September 25, 1962 (48 U.S.C. 1667), section 9 of the National Vocational Student Loan Insurance Act of 1965 (74 Stat. 1037, 1041), and the Vocational Education Act of 1963 (except sections 4(c), 13 and 14) (20 U.S.C. 35C(c), 35(k) and 35(l); *$252,900,000*, of which $199,309,000 shall be for vocational education programs under section 4(a) and (b) of the Vocational Education Act of 1963 (20 U.S.C. 35C(a) and (b), and $3,600,000 to remain available until expended shall be for interest payments on insured loans under the National Vocational Student Loan Insurance Act of 1965; and, in addition, $10,000,000 for work-study programs under section 13 of the Vocational Education Act of 1963 to be derived by transfer from funds available to the Office of Economic Opportunity for fiscal year 1968.

LIBRARIES AND COMMUNITY SERVICES

70 Stat. 293;
78 Stat. 11;
80 Stat. 313.
79 Stat. 1219.
20 USC 1001 note.
80 Stat. 1216.
20 USC 1201 note.

For grants and payments pursuant to the Act of June 19, 1956, as amended (20 U.S.C., ch. 16, Public Laws 88–269 and 89–511), titles I and II (except section 224) of the Higher Education Act of 1965, and the Adult Education Act of 1966, *$156,500,000*, of which $35,000,000 shall be for grants for public library services under title I of the Act of June 19, 1956, $27,185,000, to remain available through June 30, 1969, shall be for grants for public library construction under title II of such Act, $2,375,000 shall be for grants for cooperative networks of libraries under title III of such Act, $2,120,000 shall be for grants for State institutional library services under part A of title IV of such Act, $1,320,000 shall be for library services to the physically handicapped under part B of title IV of such Act, $10,000,000 shall be for grants for community service and continuing education programs under title I of the Higher Education Act of 1965, $5,000,000 shall be for transfer to the Librarian of Congress for the acquisition and cataloging of library materials under part C of title II of such Act, and $40,250,000 shall be for adult education programs under the Adult Education Act of 1966.

EDUCATIONAL IMPROVEMENT FOR THE HANDICAPPED

72 Stat. 1777.
77 Stat. 295;
79 Stat. 429.
79 Stat. 983.

For grants for training and research and demonstrations with respect to handicapped children pursuant to the Act of September 6, 1958, as amended (20 U.S.C. 611–617), and section 302 of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, as amended (20 U.S.C. 618); for expenses necessary to carry out the Act of September 2, 1958, as amended (42 U.S.C. 2491–

2494); and for grants to States under title VI of the Elementary and Secondary Education Act of 1965, as amended (20 U.S.C. 871–880), *$53,400,000*.

80 Stat. 1204.

RESEARCH AND TRAINING

For research, surveys, training, dissemination of information, and demonstrations in education and in librarianship as authorized by the Act of July 26, 1954 (20 U.S.C. 331–332(b)), as amended by title IV of the Elementary and Secondary Education Act of 1965, and the Elementary and Secondary Education Amendments of 1966; section 4(c) of the Vocational Education Act of 1963 (20 U.S.C. 35C(c)); section 224 of the Higher Education Act of 1965 (Public Law 89–329); and section 602 and title VII of the National Defense Education Act of 1958 as amended (20 U.S.C. ch. 17; Public Law 88–665), *$90,967,000* of which $1,250,000 shall be available for program evaluation without regard to the provision in subsection 2(a)(2) of said Act of July 26, 1954, as amended, and $13,550,000 shall be available for research and special project activities under section 4(c) of said Vocational Education Act of 1963.

68 Stat. 533;
79 Stat. 44;
80 Stat. 1202.
77 Stat. 405.
79 Stat. 1228.
20 USC 1034.
72 Stat. 1594;
78 Stat. 1107.

SALARIES AND EXPENSES

81 Stat. 394.

For expenses necessary for the Office of Education, including surveys, studies, investigations, and reports regarding libraries; coordination of library service on the national level with other forms of adult education; development of library service throughout the country; purchase, distribution, and exchange of education documents, motion picture films, and lantern slides; and for rental of conference rooms in the District of Columbia; *$37,385,000*: *Provided*, That the sum made available in the "Department of Health, Education, and Welfare Appropriation Act, 1967" for transfer to the "Office of Secretary, salaries and expenses" for a comprehensive study of training programs financed in whole or in part with Federal funds shall remain available until June 30, 1968.

80 Stat. 1386.

PARTICIPATION SALES AUTHORIZATIONS

The Federal National Mortgage Association, as trustee, is hereby authorized to issue beneficial interests or participations in such assets from loans made by the Commissioner of Education for construction of academic facilities as may be placed in trust with such Association in accordance with section 302(c) of the Federal National Mortgage Association Charter Act, as amended, in an aggregate principal amount of not to exceed *$100,000,000*, in addition to amounts heretofore authorized: *Provided*, That the foregoing authorization shall remain available until June 30, 1969.

78 Stat. 800;
80 Stat. 164, 1236.
12 USC 1717.

PAYMENT OF PARTICIPATION SALES INSUFFICIENCIES

For the payment of such insufficiencies as may be required by the trustee on account of outstanding beneficial interests or participations in assets of the Office of Education authorized by this Act to be issued pursuant to section 302(c) of the Federal National Mortgage Association Charter Act, as amended, *$925,000*.

VOCATIONAL REHABILITATION ADMINISTRATION

GRANTS FOR REHABILITATION SERVICES AND FACILITIES

68 Stat. 652; 79 Stat. 1282. 29 USC 31 note.

For grants for rehabilitation services and facilities in accordance with the Vocational Rehabilitation Act, as amended, *$311,550,000*, of which $287,000,000 is for grants for vocational rehabilitation services under section 2; $3,200,000 is for grants for innovation projects under section 3; $7,500,000 (to remain available through June 30, 1971) shall be for planning, preparing for, and initiating special programs to expand vocational rehabilitation services under section 4(a)(2) (A), $3,850,000 (to remain available through June 30, 1970) is for grants with respect to workshops and rehabilitation facilities under section 12; and $10,000,000 is for grants for workshop improvement activities under section 13: *Provided*, That the Secretary shall, within the limits of the allotments and additional allotments for grants under section 2 of such Act, allocate (or from time to time reallocate) among the States, in accordance with regulations, amounts not exceeding in the aggregate $10,000,000, which may be used only for paying the Federal share of expenditures for the establishment of workshops or rehabilitation facilities where the State funds used for such expenditures are derived from private contributions conditioned on use for a specified workshop or facility, and no part of the allotment or additional allotment to any State for grants under section 2 of said Act other than the allocation or reallocation to such State under this proviso may be so used: *Provided further*, That the allotment to any State under section 3(a)(1) of such Act shall be not less than $25,000.

81 Stat. 395.

79 Stat. 1282. 29 USC 32, 33.

Grants to States, next succeeding fiscal year: For making, after May 31, of the current fiscal year, grants to States under sections 2 and 3 of the Vocational Rehabilitation Act, as amended, for the first quarter of the next succeding fiscal year such sums as may be necessary, the obligations incurred and the expenditures made thereunder to be charged to the appropriation therefor for that fiscal year: *Provided*, That the payments made pursuant to this paragraph shall not exceed the amount paid to the States for the first quarter of the current fiscal year.

RESEARCH AND TRAINING

For grants and other expenses (except administrative expenses) for research, training, traineeships, and other special projects, pursuant to section 4 of the Vocational Rehabilitation Act, as amended, for carrying out the training functions provided for in section 7 of said Act, for studies, investigations, demonstrations, and reports, and of dissemination of information with respect thereto pursuant to section 7 of said Act, and not to exceed $100,000 for carrying out the functions of the Vocational Rehabilitation Administration under the International Health Research Act of 1960 (74 Stat. 364), *$63,937,000*.

29 USC 34.
29 USC 37.
22 USC 2101 note.

RESEARCH AND TRAINING (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the Vocational Rehabilitation Administration, as authorized by law, *$5,000,000*, to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations to such agency, for the payments in the foregoing currencies.

GRANTS FOR CORRECTIONAL REHABILITATION STUDY

For grants under the provisions of section 16 of the Vocational Rehabilitation Act, as amended, for a program of research and study in correctional rehabilitation, *$800,000*.

79 Stat. 676, 1284.
29 USC 42.

SALARIES AND EXPENSES

For expenses, not otherwise provided for, necessary for the Vocational Rehabilitation Administration, *$5,319,000*, together with not to exceed $336,000 to be transferred from the Federal Disability Insurance Trust Fund, and the Federal Old-Age and Survivors Insurance Trust Fund, as provided in section 222(d)(5) of the Social Security Act, as amended.

79 Stat. 408.
42 USC 422.

PUBLIC HEALTH SERVICE

* * * * *

Health Manpower

HEALTH MANPOWER EDUCATION AND UTILIZATION

To carry out, to the extent not otherwise provided, sections 301, 306, 309, 311, title VII, and title VIII of the Act, and for training grants under section 422 of the Act, *$164,663,000*, of which $5,000,000 shall be available through June 30, 1969, to carry out title VIII of the Act with respect to nursing educational opportunity grants.

42 USC 241, 242d, 242g, 243, 292, 296, 288a.

Loans, grants, and payments for the next succeeding fiscal year: For making, after March 31 of the current fiscal year, loans, grants, and payments under section 306, parts C, F, and G of title VII, and parts B and D of title VIII of the Act for the first quarter of the next succeeding fiscal year, such sums as may be necessary, and the obligations incurred and expenditures made hereunder shall be charged to the appropriation for that purpose for such fiscal year: *Provided*, That such payments pursuant to this paragraph may not exceed 50 per centum of the amounts authorized in section 306, parts C and G of title VII, and parts B and D of title VIII for these purposes for the next succeeding fiscal year.

CONSTRUCTION OF HEALTH EDUCATIONAL FACILITIES

To carry out parts B and G of title VII and part A of title VIII of the Act, *$203,000,000*, of which $175,000,000 is for grants to assist in construction of new, or replacement or rehabilitation of existing, teaching facilities pursuant to section 720 of the Act including $35,000,000 for dental facilities as authorized by subsections (2) and (3) of said section, $10,000,000 is for grants to assist in construction of new, or replacement or rehabilitation of existing, facilities for collegiate schools of nursing; $15,000,000 is for grants to assist in construction of new, or replacement or rehabilitation of existing, facilities for associate degree and diploma schools of nursing; and $3,000,000 is for grants to assist in construction of new, or replacement or rehabilitation of existing, facilities for training centers for allied health professions: *Provided*, That amounts appropriated herein shall remain available until expended.

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NATIONAL INSTITUTES OF HEALTH

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NATIONAL CANCER INSTITUTE

To enable the Surgeon General, upon the recommendations of the National Advisory Cancer Council, to make grants-in-aid for research and training projects relating to cancer; and to otherwise carry out the provisions of title IV, part A, of the Act; *$183,356,000*. 42 USC 281-286.

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NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For expenses not otherwise provided for, necessary to carry out the purposes of the Act with respect to general medical sciences, including the training of clinical anesthesiologists, *$160,284,000*.

* * * * *

GENERAL RESEARCH AND SERVICES, NATIONAL INSTITUTES OF HEALTH

For the activities of the National Institutes of Health, not otherwise provided for, including research fellowships and grants for research projects and training grants pursuant to section 301 of the Act; and grants of therapeutic and chemical substances for demonstrations and research; *$81,141,000: Provided*, That funds advanced to the National Institutes of Health management fund from appropriations included in this Act shall be available for purchase of not to exceed twelve passenger motor vehicles for replacement only; and not to exceed $2,500 for entertainment of visiting scientists when specifically approved by the Surgeon General.

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JOHN E. FOGARTY INTERNATIONAL CENTER FOR ADVANCED STUDY IN THE HEALTH SCIENCES

For the John E. Fogarty International Center for Advanced Study in the Health Sciences, $500,000, to remain available until December 31, 1968.

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NATIONAL LIBRARY OF MEDICINE

To carry out section 301 of the Act and for expenses, not otherwise provided for, necessary to carry out the National Library of Medicine Act (42 U.S.C. 275), and the Medical Library Assistance Act of 1965 (79 Stat. 1059), *$19,912,000*, of which $5,250,000 shall remain available until June 30, 1969.

81 Stat. 401.
42 USC 280b note.
70 Stat. 960.

* * * * *

81 Stat. 402.

HEALTH EDUCATION LOANS

The Secretary is hereby authorized to make such expenditures, within the limits of funds available in the following revolving funds, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for the "Health Professions Education Fund" and the "Nurse Training Fund".

61 Stat. 584.
31 USC 849.

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WELFARE ADMINISTRATION

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GRANTS FOR MATERNAL AND CHILD WELFARE

For grants for maternal and child welfare as authorized in title V, parts 1, 2, 3, and 4 of the Social Security Act, as amended (42 U.S.C., ch. 7, subch. V; 74 Stat. 995–997, and 77 Stat. 273), *$235,600,000*, of which $50,000,000 shall be available for maternal and child-health services under part 1, $50,000,000 for services for crippled children under part 2, $46,000,000 for child welfare services under part 3 (other than section 526), $9,700,000 for research, training, or demonstration projects in child welfare under section 526, $30,000,000 for special project grants for maternity and infant care, under section 531, $37,000,000 for special project grants for comprehensive health care and services for school age and preschool age children under section 532, $7,000,000 for training of professional personnel for the health and related care of crippled children under section 516, and $5,900,000 for research projects relating

42 USC 701-731

to maternal and child health and crippled children's services under section 533 of such Act: *Provided,* That any allotment to a State pursuant to section 502(b) or 512(b) of such Act shall not be included in computing for the purposes of subsections (a) and (b) of sections 504 and 514 of such Act an amount expended or estimated to be expended by the State: *Provided further,* That $4,750,000 of the amount available under section 502(b) of such Act shall be used only for special projects for mentally retarded children, and $3,750,000 of the amount available under section 512(b) of such Act shall be used only for special projects for services for crippled children who are mentally retarded.

81 Stat. 404.

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ADMINISTRATION ON AGING

COORDINATION AND DEVELOPMENT OF PROGRAMS FOR THE AGING

79 Stat. 218;
Ante, p. 106.
42 USC 3001 note.

For grants for community planning, services, and training, and for grants and contracts for research and development projects and training projects, and for consultative services, technical assistance, training and other services, relating to programs for the aged and aging, and for salaries and expenses in connection therewith, as authorized by the Older Americans Act of 1965, as amended, *$18,450,000.*

* * * * *

81 Stat. 405.

SPECIAL INSTITUTIONS

AMERICAN PRINTING HOUSE FOR THE BLIND

20 Stat. 468.

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101–105, *$1,225,000.*

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For carrying out the National Technical Institute for the Deaf Act (Public Law 89–36), *$2,615,000,* to remain available until expended.

79 Stat. 125.
20 USC 681 note.

MODEL SECONDARY SCHOOL FOR THE DEAF, SALARIES AND EXPENSES

For carrying out the Model Secondary School for the Deaf Act (Public Law 89–694), *$425,000* to remain available until expended.

80 Stat. 1027.
D.C. Code 31–105 note.

MODEL SECONDARY SCHOOL FOR THE DEAF, CONSTRUCTION

For carrying out the Model Secondary School for the Deaf Act (Public Law 89–694), *$275,000,* to remain available until expended.

GALLAUDET COLLEGE, SALARIES AND EXPENSES

For the partial support of Gallaudet College, including personal services and miscellaneous expenses, and repairs and improvements as authorized by the Act of June 18, 1954 (Public Law 420), *$2,878,000*: *Provided*, That Gallaudet College shall be paid by the District of Columbia, in advance at the beginning of each quarter, at a rate not less than $1,640 per school year for each student receiving elementary or secondary education pursuant to the Act of March 1, 1901 (31 D.C. Code 1008).

68 Stat. 265.
D.C. Code 31-1025 to 31-1032.

31 Stat. 844.

GALLAUDET COLLEGE, CONSTRUCTION

For construction, alteration, renovation, equipment, and improvement of buildings and facilities on the grounds of Gallaudet College, as authorized by the Act of June 18, 1954 (Public Law 420), under the supervision, if so requested by the College, of the General Services Administration, including planning, architectural, and engineering services, *$2,196,000* to remain available until expended.

HOWARD UNIVERSITY, SALARIES AND EXPENSES

For the partial support of Howard University, including personal services, miscellaneous expenses, and repairs to buildings and grounds, *$15,300,000*.

HOWARD UNIVERSITY, CONSTRUCTION

For the construction, purchase, renovation, and equipment of buildings and facilities for Howard University, under the supervision of the General Services Administration, including planning, architectural, and engineering services, *$3,926,000*, to remain available until expended.

FREEDMEN'S HOSPITAL, SALARIES AND EXPENSES

For expenses necessary for operation and maintenance, including repairs; furnishing, repairing, and cleaning of wearing apparel used by employees in the performance of their official duties; transfer of funds to the appropriation "Howard University, salaries and expenses" for salaries of technical and professional personnel detailed to the hospital; payments to Howard University for actual cost of steam for heat and other purposes furnished by such university; for employee benefits and hospital insurance coverage; *$6,700,000*: *Provided*, That no intern or resident physician receiving compensation from this appropriation on a full-time basis shall receive compensation in the form of wages or salary from any other appropriation in this title: *Provided further*, That the District of Columbia shall pay by check to Freedmen's Hospital, upon the request of Howard University, in advance at the beginning of each quarter, such amount as the University calculates will be earned on the basis of rates approved by the Bureau of the Budget for the care of patients certified by the District of Columbia.

81 Stat. 406.

Bills rendered by the University on the basis of such calculations shall not be subject to audit or certification in advance of payment; but proper adjustment of amounts which have been paid in advance on the basis of such calculations shall be made at the end of each quarter.

Office of the Secretary

SALARIES AND EXPENSES

For expenses necessary for the Office of the Secretary, including $100,000 for the National Advisory Committee on Education of the Deaf, *$7,139,000*, to include also provision for a comprehensive study of all currently authorized programs of the Federal Government that have to do with educational activities aimed at improved international understanding, and cooperation, with the objective of determining the extent of adjustment and consolidation of these programs that is desirable in order that their objectives may be more efficiently and expeditiously accomplished, together with not to exceed $1,211,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from any one or all of the trust funds referred to therein; of which $3,732,000 and $779,000 respectively, shall be available to carry out the civil rights functions of the Department of Health, Education, and Welfare.

79 Stat. 338.
42 USC 401.

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FOREIGN LANGUAGE TRAINING AND AREA PROGRAMS

For grants, contracts and payments for language and area programs authorized by Title VI of the National Defense Education Act and to carry out the provisions of section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961, *$15,700,000*.

72 Stat. 1593.
20 USC 511-513.
75 Stat. 527.
22 USC 2452.

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17. DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1968

(Public Law 90-133, approved November 8, 1967)

A. Legislative History

Hearings on Department of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriations for 1968 were held before a subcommittee of the House Committee on Appropriations at intervals from February 8, 1967, to April 14, 1967. Hearings on appropriations for these Departments and related agencies for fiscal 1968 were held before the subcommittee of the Senate Committee on Appropriations intermittently from July 27 to August 15, 1967.

H.R. 10345, making appropriations to the Departments of State, Justice, and Commerce, the Judiciary and related agencies, was introduced on May 25, 1967, by Representative John J. Rooney, of New York. The bill was referred to the Committee on Appropriations. It was reported from that committee on May 25, 1967 (H. Rept. 318). It passed the House on May 31, 1967. It was reported in the Senate, from the Committee on Appropriations, on September 26, 1967 (S. Rept. 571). It passed the Senate, amended, and the Senate asked for a conference, on October 11, 1967. The House agreed to a conference on October 16, 1967. The conference report was filed on October 24, 1967 (H. Rept. 821). The House agreed to the conference report on October 25, 1967. The Senate agreed to the conference report on October 26, 1967. The act was approved on November 8, 1967, and became Public Law 90–133.

B. SUMMARY OF SOME APPROPRIATIONS AFFECTING EDUCATION AND TRAINING

Funds made available to the Departments of State, Justice, and Commerce which may be used for educational or training purposes generally are not separately identifiable in Pubic Law 90–133. Following are some of the appropriations made by this act which clearly from this act may be used at least in part.

Department of State:	
Administration of foreign affairs, salaries and expenses	$193,640,000
Mutual educational and cultural exchange activities	46,000,000
Center for cultural and technical interchange between East and West	5,800,000
Department of Justice: Law enforcement assistance	7,500,000
Department of Commerce:	
International activities, salaries and expenses	11,500,000
Maritime training	4,620,000
State marine schools	1,775,000
Related agencies:	
Department of Health, Education, and Welfare: Office of Education, civil rights educational activities	10,000,000
U.S. Information Agency:	
Salaries and expenses	156,479,000
Special international exhibitions	2,707,000
Federal Prison Industries, Inc.: Vocational training of prisoners, not to exceed	1,988,000

C. TEXT OF SOME APPROPRIATIONS AFFECTING EDUCATION AND TRAINING

Following is the text of appropriations made by Public Law 90–133 which clearly from this act may be used entirely or in part for educational or training purposes.

AN ACT Making appropriations for the Departments of State, Justice and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1968. and for other purposes

Be it enacted by the Senate and House of Represnetatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1968, and for other purposes, namely:

Departments of State, Justice, and Commerce, the Judiciary and related agencies Appropriation Act, 1968.
81 Stat. 410.

TITLE I—DEPARTMENT OF STATE

81 Stat. 411.

Administration of Foreigh Affairs

SALARIES AND EXPENSES

60 Stat. 999.
80 Stat. 510.
80 Stat. 416.
22 USC 2669.
62 Stat. 825.
22 USC 2674.

For necessary expenses of the Department of State, not otherwise provided for, including expenses authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801–1158), an allowances as authorized by 5 U.S.C. 5921–5925; expenses of bi-national arbitrations arising under international air transport agreements; expenses necessary to meet the responsibilities and obligations of the United States in Germany (including those arising under the supreme authority assumed by the United States on June 5, 1945, and under contractual arrangements with the Federal Republic of Germany); hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; dues for library membership in organizations which issue publications to members only, or to members at a price lower than to others; expenses authorized by section 2 of the Act of August 1, 1956 (70 Stat. 890), as amended; refund of fees erroneously charged and paid for passports; radio communications; payment in advance for subscriptions to commercial information, telephone and similar services abroad; care and transportation of prisoners and persons declared insane; expenses, as authorized by law (18 U.S.C. 3192), of bringing to the United States from foreign countries persons charged with crime; expenses necessary to provide maximum physical security in Government-owned and leased properties abroad; and procurement by contract or otherwise, of services, supplies, and facilities, as follows: (1) translating, (2) analysis and tabulation of technical information, and (3) preparation of special maps, globes, and geographic aids; $193,640,000: *Provided*, That passenger motor vehicles in possession of the Foreign Service abroad may be replaced in accordance with section 7 of the Act of August 1, 1956 (70 Stat. 891), and the cost, including the exchange allowance, of each such replacement shall not exceed $3,800 in the case of the chief of mission automobile at each diplomatic mission (except that four such vehicles may be purchased at not to exceed $7,800 each) and $1,500 in the case of all other such vehicles except station wagons and buses.

* * * * *

Educational Exchange

MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE ACTIVITIES

75 Stat. 527.
53 Stat. 1290.

For expenses, not otherwise provided for, necessary to enable the Secretary of State to carry out the functions of the Department of State under the provisions of the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451–2458), and the Act of August 9, 1939 (22 U.S.C. 501), including expenses authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801–1158); expenses of the

National Commission on Education, Scientific, and Cultural Cooperation as authorized by sections 3, 5, and 6 of the Act of July 30, 1946 (22 U.S.C. 287o, 287q, 287r); hire of passenger motor vehicles; not to exceed $18,000 for representation expenses; not to exceed $1,000 for official entertainment within the United States; services as authorized by 5 U.S.C. 3109; and advance of funds notwithstanding section 3648 of the Revised Statutes, as amended; $46,000,000, of which not less than $25,000,000 shall be used for payments in foreign currencies or credits owed to or owned by the Treasury of the United States: *Provided*, That not to exceed $2,450,000 may be used for administrative expenses during the current fiscal year.

60 Stat. 713;
75 Stat. 341.

80 Stat. 416.
31 USC 529.

CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to any appropriate agency of the State of Hawaii, $5,800,000: *Provided*, That none of the funds appropriated herein shall be used to pay any salary, or to enter into any contract providing for the payment thereof, in excess of the highest rate authorized in the General Schedule of the Classification Act of 1949, as amended.

74 Stat. 141.
22 USC 2054 note.

80 Stat. 467.
5 USC 5332.

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TITLE II—DEPARTMENT OF JUSTICE

* * * * *

LAW ENFORCEMENT ASSISTANCE

For grants and contracts to provide assistance in training State and local law enforcement officers and other personnel, and in improving capabilities, techniques, and practices in State and local law enforcement and prevention and control of crime, for technical assistance and departmental salaries and other expenses in connection therewith, $7,500,000.

78 Stat. 267.

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TITLE III—DEPARTMENT OF COMMERCE

* * * * *

International Activities

SALARIES AND EXPENSES

For necessary expenses for the promotion of foreign commerce, including trade centers, mobile trade fairs, and trade and industrial exhibits, abroad, without regard to the provisions of law set forth in 41 U.S.C. 5 and 13; 44 U.S.C. 111, 322, and 324; purchase of commercial and trade reports; employment of aliens by contract for services abroad; rental of space abroad, for periods not exceeding five years, and expenses of alteration,

63 Stat. 405;
20 Stat. 216.

80 Stat. 306.

75 Stat. 532.
22 USC 2455, 2458.

repair, or improvement; advance of funds under contracts abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28 of the United States Code, when such claims arise in foreign countries; and not to exceed $3,000 for official representation expenses abroad; $11,500,000, of which $3,000,000 shall remain available for trade and industrial exhibits until June 30, 1969: *Provided*, That the provisions of the first sentence of section 105(f) and all of 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87–256) shall apply in carrying out the activities concerned with exhibits and missions.

* * * * *

MARITIME TRAINING

Ante, p. 424.

For training cadets as officers of the Merchant Marine at the Merchant Marine Academy at Kings Point, New York; not to exceed $2,500 for contingencies for the Superintendent, United States Merchant Marine Academy, to be expended in his discretion; purchase of one passenger motor vehicle for replacement only; and uniform and textbook allowances for cadet midshipmen, at an average yearly cost of not to exceed $400 per cadet; $4,620,000: *Provided*, That, except as herein provided for uniform and textbook allowances, this appropriation shall not be used for compensation or allowances for cadets: *Provided further*, That reimbursement may be made to this appropriation for expenses in support of activities financed from the appropriations for "Research and development" and "Ship construction".

STATE MARINE SCHOOLS

USC 13 note. 81 46

For financial assistance to State marine schools and the students thereof as authorized by the Maritime Academy Act of 1958 (72 Stat. 622–624), $1,775,000, of which $500,000 is for maintenance and repair of vessels loaned by the United States for use in connection with such State marine schools, and $1,275,000, to remain available until expended, is for liquidation of obligations incurred under authority granted by said Act, to enter into contracts to make payments for expenses incurred in the maintenance and support of marine schools, and to pay allowances for uniforms, textbooks, and subsistence of cadets at State marine schools.

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TITLE V—RELATED AGENCIES

* * * * *

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

OFFICE OF EDUCATION

CIVIL RIGHTS EDUCATIONAL ACTIVITIES

78 Stat. 246.

For carrying out the provisions of title IV of the Civil Rights Act of 1964 relating to functions of the Commissioner of

Education, $10,000,000, of which not to exceed $1,500,000 shall be for salaries and expenses, including services as authorized by 5 U.S.C. 3109.

42 USC 2000c-2000c-9.
80 Stat. 416.

* * * * *

75 Stat. 639;
77 Stat. 341;
79 Stat. 118.

UNITED STATES INFORMATION AGENCY

SALARIES AND EXPENSES

For expenses necessary to enable the United States Information Agency, as authorized by Reorganization Plan No. 8 of 1953, the Mutual Educational and Cultural Exchange Act (75 Stat. 527), and the United States Information and Educational Exchange Act, as amended (22 U.S.C. 1431 et seq), to carry out international information activities, including employment, without regard to the civil service and classification laws, of (1) persons on a temporary basis (not to exceed $20,000), (2) aliens within the United States, and (3) aliens abroad for service in the United States relating to the translation or narration of colloquial speech in foreign languages (such aliens to be investigated for such employment in accordance with procedures established by the Director of the Agency and the Attorney General); travel expenses of aliens employed abroad for service in the United States and their dependents to and from the United States: salaries, expenses, and allowances of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801–1158); entertainment within the United States not to exceed $500; hire of passenger motor vehicles; insurance on official motor vehicles in foreign countries; services as authorized by 5 U.S.C. 3109; payment of tort claims, in the manner authorized in the first paragraph of section 2672, as amended, of title 28 of the United States Code when such claims arise in foreign countries; advance of funds notwithstanding section 3648 of the Revised Statutes, as amended; dues for library membership in organizations which issue publications to members only, or to members at a price lower than to others; employment of aliens, by contract, for service abroad; purchase of ice and drinking water abroad; payment of excise taxes on negotiable instruments abroad; purchase of uniforms for not to exceed fourteen guards; actual expenses of preparing and transporting to their former homes the remains of persons, not United States Government employees, who may die away from their homes while participating in activities authorized under this appropriation; radio activities and acquisition and production of motion pictures and visual materials and purchase or rental of technical equipment and facilities therefor, narration, script-writing, translation, and engineering services, by contract or otherwise; maintenance, improvement, and repair of properties used for information activities in foreign countries; fuel and utilities for Government-owned or leased property abroad; rental or lease for periods not exceeding five years of offices, buildings, grounds, and living quarters for officers and employees engaged in in-

67 Stat. 642.
22 USC 1461 note.
22 USC 2451 note.
62 Stat. 6.
60 Stat. 999.
80 Stat. 416.
80 Stat. 306.
31 USC 529.

formational activities abroad; travel expenses for employees attending official international conferences, without regard to the Standardized Government Travel Regulations and to the rates of per diem allowances in lieu of subsistence expenses under 5 U.S.C. 5701–5708, but at rates not in excess of comparable allowances approved for such conferences by the Secretary of State; and purchase of objects for presentation to foreign governments, schools, or organizations; $156,479,000: *Provided*, That not to exceed $110,000 may be used for representation abroad: *Provided further*, That this appropriation shall be available for expenses in connection with travel of personnel outside the continental United States, including travel of dependents and transportation of personal effects, household goods, or automobiles of such personnel, when any part of such travel or transportation begins in the current fiscal year pursuant to travel orders issued in that year, notwithstanding the fact that such travel or transportation may not be completed during the current year: *Provided further*, That passenger motor vehicles used abroad exclusively for the purposes of this appropriation may be exchanged or sold, pursuant to section 201 (c) of the Act of June 30, 1949 (40 U.S.C. 481(c)), and the exchange allowances or proceeds of such sales shall be available for replacement of an equal number of such vehicles and the cost, including the exchange allowance of each such replacement, except buses and station wagons, shall not exceed $1,500: *Provided further*, That, notwithstanding the provisions of section 3679 of the Revised Statutes, as amended (31 U.S.C. 665) the United States Information Agency is authorized, in making contracts for the use of international short-wave radio stations and facilities, to agree on behalf of the United States to indemnify the owners and operators of said radio stations and facilities from such funds as may be hereafter appropriated for the purpose against loss or damage on account of injury to persons or property arising from such use of said radio stations and facilities: *Provided further*, That existing appointments and assignments to the Foreign Service Reserve for the purposes of foreign information and educational activities which expire during the current fiscal year may be extended for a period of one year in addition to the period of appointment or assignment otherwise authorized.

81 Stat. 433.
80 Stat. 498.
63 Stat. 384.

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SPECIAL INTERNATIONAL EXHIBITIONS

For expenses necessary to carry out the functions of the United States Information Agency under section 102(a)(3) of the "Mutual Educational and Cultural Exchange Act of 1961" (75 Stat. 527), $2,709,000, to remain available until expended: *Provided*, That not to exceed a total of $7,200 may be expended for representation.

76 Stat. 263.
22 USC 2452.

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TITLE VI—FEDERAL PRISON INDUSTRIES, INCORPORATED

* * * * *

LIMITATION ON ADMINISTRATIVE AND VOCATIONAL TRAINING EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $726,000 of the funds of the corporation shall be available for its administrative expenses, and not to exceed $1,988,000 for the expenses of vocational training of prisoners, both amounts to be available for services as authorized by 5 U.S.C. 3109, and to be computed on an accrual basis and to be determined in accordance with the corporation's prescribed accounting system in effect on July 1, 1946, and shall be exclusive of depreciation, payment of claims, expenditures which the said accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest. 80 Stat. 416.

18. FOREIGN ASSISTANCE ACT OF 1967: PROVISIONS AFFECTING EDUCATION AND TRAINING

(Public Law 90–137, approved November 14, 1967)

A. LEGISLATIVE HISTORY

Hearings on the Foreign Assistance Act of 1967, were held before the House Committee on Foreign Affairs at intervals from April 4, 1967, to June 8, 1967.

H.R. 12048, the Foreign Assistance Act of 1967 was introduced on August 2, 1967, by Representative Thomas E. Morgan, of Pennsylvania. The bill was referred to the Committee on Foreign Affairs. It was reported from that committee on August 11, 1967 (H. Rept. 551). It passed the House on August 25, 1967. The proceedings were vacated and it was laid on the table on August 25 (legislative day August 24) 1967, when S. 1872, as amended was passed in lieu.

S. 1872, the Foreign Assistance Act of 1967 was introduced on May 25, 1967, by Senator J. W. Fulbright, of Arkansas. The bill was referred to the Committee on Foreign Relations. Hearings on this bill were held before the Committee on Foreign Relations on June 12 and July 14 and 26, 1967.

S. 1872 was reported in the Senate, from the Committee on Foreign Relations, on August 9, 1967 (S. Rept. 499). It passed the Senate on August 17, 1967. It passed the House, amended, and in lieu of H.R. 12048, on August 25 (legislative day August 24) 1967. The Senate asked for a conference on August 28, 1967. The House agreed to a conference on September 13, 1967. The conference report was filed on November 7, 1967 (H. Rept. 892). The House and Senate both agreed to the conference report on November 8, 1967. The act was approved on November 14, 1967, and became Public Law 90–137.

B. Summary of Provisions Affecting Education and Training

Education and training are widely involved in foreign aid, but funds made available for educational and training purposes are not separately identified in Public Law 90–137. Following are some of the provisions of the act affecting education and training:

(1) Authorizes $450 million for fiscal 1968 for the development loan fund.

(2) Authorizes $210 million for fiscal 1968 for technical cooperation and development grants, including $14 million for American schools and hospitals abroad.

(3) Authorizes $578 million for fiscal 1968 for the Alliance for Progress.

(4) Authorizes $660 million for fiscal 1968 for supporting assistance.

C. Text of Certain Provisions of the Law Affecting Education and Training

Following is the text of certain provisions of Public Law 90–137 affecting education and training (emphasis added).

AN ACT To amend further the Foreign Assistance Act of 1961, as amended, and for other purposes

Foreign Assistance Act of 1967.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Foreign Assistance Act of 1967".

PART I

CHAPTER 1—POLICY

75 Stat. 424.
22 USC 2151.

Sec. 101. Section 102 of the Foreign Assistance Act of 1961, as amended, which relates to the statement of policy, is amended to read as follows:

"Sec. 102. Statement of Policy.—The Congress declares that the freedom, security, and prosperity of the United States are best sustained in a community of free, secure, and prospering nations. In particular, the Congress recognizes the threat to world peace posed by aggression and subversion wherever they occur, and that ignorance, want, and despair breed the extremism and violence which lead to aggression and subversion. The Congress declares therefore that it is not only expressive of our sense of freedom, justice, and compassion but also important to our national security that the United States, through private as well as public efforts, assist the people of less developed countries in their efforts to *acquire the knowledge* and resources essential for development and to build the economic, political, and social institutions which will meet their aspirations for a better life, with freedom, and in peace.

81 Stat. 445.
81 Stat. 446.

"In addition, the Congress declares that it is the policy of the United States to support the principles of increased economic cooperation and trade among countries, freedom of the press, information, and religion, freedom of navigation in international waterways, and recognition of the right of all private persons to travel and pursue their lawful activities without discrimination as to race or religion. The Congress further declares that any distinction made by foreign nations between American citizens because of race, color, or religion in the granting of, or the exercise of, personal or other rights available to American citizens is repugnant to our principles.

"The Congress further declares that to achieve the objectives of this Act, programs authorized by this Act should be carried out in accordance with the following principles:

"First, development is primarily the responsibility of the people of the less developed countries themselves. Assistance from the United States shall be used in support of, rather than substitution for, the self-help efforts that are essential to successful development programs, and shall be concentrated in those countries that take positive steps to help themselves. Maximum effort shall be made, in the administration of this Act, to stimulate the involvement of the people in the development process through the encouragement of democratic participation in private and local governmental activities and institution-building appropriate to the requirements of the recipient nations.

"Second, the tasks of successful development in some instances require the active involvement and cooperation of many countries on a multilateral basis. Therefore, to the maximum extent practicable, other countries shall be encouraged to increase their contributions to development programs and projects so that the cost of such common undertakings, which are for the benefit of all, may be shared equitably by all.

"Third, assistance shall be utilized to encourage regional cooperation by less developed countries in the solution of common problems and the development of shared resources.

"Fourth, the first objects of assistance shall be to support the efforts of less developed countries to meet the fundamental needs of their peoples for sufficient food, good health, home ownership and decent housing, and the *opportunity to gain the basic knowledge and skills required* to make their own way forward to a brighter future. In supporting these objectives, particular emphasis shall be placed on utilization of resources for food production and voluntary family planning.

"Fifth, assistance shall wherever practicable be constituted of United States commodities and services furnished in a manner consistent with other efforts of the United States to improve its balance of payments position.

"Sixth, assistance shall be furnished in such a manner as to promote efficiency and economy in operations so that the United States obtains maximum possible effectiveness for each dollar spent.

"Seventh, to the maximum extent practicable, the furnishing of agricultural commodities, disposal of excess property, and United States payments to international lending institutions, undertaken pursuant to this or any other Act, shall complement and be coordinated with assistance provided under this part.

81 Stat. 446.
81 Stat. 447.

Middle East.
Permanent peace efforts.

"It is the sense of the Congress that every effort must be made to obtain a permanent peace in the Middle East. To help promote that objective, the United States should encourage, as part of pacific settlement, direct talks among the parties concerned, using such third party or United Nations assistance as they may wish. To this end, the President should undertake immediately (1) a thorough review of the needs of the several countries of that area, and (2) a reevaluation of United States policies aimed at helping meet those needs and securing a permanent peace in the area.

"It is further the sense of the Congress that in any case in which any foreign country has severed diplomatic relations with the United States, the President should suspend assistance to such country under this or any other Act, including any program designed to complement assistance under this Act (such as sales of agricultural commodities under the Agricultural Trade Development and Assistance Act of 1954). When diplomatic relations are resumed, a further study should be made on a country-by-country basis to determine whether United States foreign policy objectives would be served by extending assistance under this or any other Act, including any program designed to complement such assistance."

68 Stat. 454.
7 USC 1691 note.

CHAPTER 2—DEVELOPMENT ASSISTANCE

TITLE I—DEVELOPMENT LOAN FUND

SEC. 102. Title I of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to the Development Loan Fund, is amended as follows:

75 Stat. 426;
80 Stat. 796.
22 USC 2161.
80 Stat. 797.
22 USC 2165.

(a) Section 201(b), which relates to general authority, is amended by striking out the last sentence and inserting in lieu thereof: "Funds made available under this title, except funds made available pursuant to section 205, shall not be used to make loans in more than twenty countries in any fiscal year."

(b) Section 201(d), which relates to rates of interest, is amended by striking out "1964" and substituting "1967" and by striking out "1 per centum" and substituting "2 per centum".

75 Stat. 426;
77 Stat. 380;
80 Stat. 796, 797.
22 USC 2162.

(c) Section 202(a), which relates to authorization, is amended (1) by striking out "and $750,000,000 for each of the fiscal years 1968 and 1969" and substituting "and $450,000,000 for the fiscal year 1968", and (2) by striking out "June 30, 1969" and substituting "June 30, 1968".

80 Stat. 797.
22 USC 2165.

(d) Section 205, which relates to transfers to international lending institutions, is amended as follows:

(1) Strike out "only".

(2) Strike out "or the International Finance Corporation" and substitute "the International Finance Corporation, or the Asian Development Bank".

81 Stat. 447.
81 Stat. 448.

(e) At the end of such title I, add the following new sections:

"SEC. 207. PURPOSES OF DEVELOPMENT ASSISTANCE.—In furnishing development assistance under this chapter the President shall place appropriate emphasis on—

"(a) assuring maximum participation in the task of economic development by the people of less developed countries through the encouragement of strong economic, political, and social institutions needed for a progressive democratic society;

"(b) programs directed at enabling a country to meet the food needs of its people from its own resources, including the *furnishing of technical knowledge* and of resources necessary to increase agricultural productivity; assistance for improved storage, transportation, marketing, and credit facilities (including provision for foreign currency loans to small farmers), cooperatives, water conservation programs, and adaptive research programs; and technological advice: *Provided,* That relief from the immediate threat of famine, hunger, and malnutrition may be provided by the United States and other countries, and that assistance provided under the Agricultural Trade Development and Assistance Act of 1954, as amended, should complement assistance furnished under this Act;

68 Stat. 454.
7 USC 1691 note.

"(c) *assisting recipient countries in their efforts to meet increasing needs for trained manpower in their development efforts by improving education planning and research, training teachers and administrators, developing and constructing eduational institutions, and using modern educational technology;*

"(d) developing programs to combat malnutrition, to control and eradicate disease, to clear slums, and to provide adequate and safe drinking water, adequate sewage disposal systems, overall health education, maternal and child care, and voluntary family planning services which shall, where feasible, be included as part of programs of maternal and child care, and other public health assistance; and

"(e) other important development activities including assistance for programs to assist industrial development; the growth of free labor unions, cooperatives, and voluntary agencies; improvement of transportation and communication systems; development of capabilities for sound economic planning and public administration; urban development; and modernization of existing laws to facilitate economic development.

"Sec. 208. Self-Help Criteria.—In determining whether and to what extent the United States should furnish development assistance to a country under this chapter the President shall take into account—

"(a) the extent to which the country is taking such measures as may be appropriate to its needs and capabilities to increase food production and improve the means for storage and distribution of food;

"(b) the extent to which the country is creating a favorable climate for private enterprise and investment, both domestic and foreign;

81 Stat. 449.

"(c) the extent to which the government of the country is increasing the role of the people in the developmental process;

"(d) the extent to which the country's governmental expenditures are allocated to key developmental areas, including agriculture, health, and education, and not diverted for unnecessary military purposes or to intervention in the affairs of other free and independent nations;

"(e) the extent to which the country is willing to make contributions of its own to the projects and programs for which the assistance is provided;

"(f) the extent to which the country is making economic, social, and political reforms, such as tax collection improvements and changes in land tenure arrangements, that will enable it to achieve developmental objectives more efficiently and justly; and

"(g) the extent to which the country is otherwise showing a responsiveness to the vital economic, political, and social concerns of its people, and demonstrating a clear determination to take effective self-help measures.

"SEC. 209. MULTILATERAL AND REGIONAL PROGRAMS.—(a) MULTILATERAL PROGRAMS.—The Congress recognizes that planning and administration of development assistance by, or under the sponsorship of, multilateral lending institutions and other international organizations may, in some instances, contribute to the efficiency and effectiveness of that assistance through participation of other donors in the development effort, improved coordination of policies and programs, pooling of knowledge, avoidance of duplication of facilities and manpower, and greater encouragement of self-help performance.

"(b) REGIONAL PROGRAMS.—It is further the sense of the Congress (1) that where problems or opportunities are common to two or more countries in a region, *in such fields* as agriculture, *education*, transportation, communications, power, watershed development, disease control, and establishment of development banks, these countries often can more effectively resolve such problems and exploit such opportunities by joining together in regional organizations or working together on regional programs, (2) that assistance often can be utilized more efficiently in regional programs than in separate country programs, and (3) that to the maximum extent practicable consistent with the purposes of this Act assistance under this Act should be furnished so as to encourage less developed countries to cooperate with each other in regional development programs."

TITLE II—TECHNICAL COOPERATION AND DEVELOPMENT GRANTS

SEC. 103. Title II of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to technical cooperation and development grants, is amended as follows:

75 Stat. 427;
80 Stat. 797.
22 USC 2171.

(a) Section 211(a), which relates to general authority, is amended by striking out all after "fiscal year," in the last sentence and substituting "except that up to $600,000 may be used for self-help projects in additional countries during such fiscal year.".

(b) Section 212, which relates to authorization, is amended to read as follows: 22 USC 2172.

"Sec. 212. Authorization.—To carry out the purposes of section 211, there is authorized to be appropriated to the President $210,000,000 for the fiscal year 1968, which amounts are authorized to remain available until expended."

(c) Section 214, which relates to American schools and hospitals abroad, is amended as follows: 81 Stat. 450.

(1) In subsection (c) strike out "1967, $10,989,000" and substitute "1968, $14,000,000". 77 Stat. 381; 80 Stat. 798. 22 USC 2174.

(2) In subsection (d) strike out "1967, $1,000,000" and substitute "1968, $2,986,000". 80 Stat. 798.

(d) At the end of such title II of chapter 2, add the following new section:

"Sec. 218. Fish and Other Protein Concentrates.—(a) The President is authorized to conduct a program designed to demonstrate the potential and to encourage the use of fish and other protein concentrates as a practical means of reducing nutritional deficiencies in less developed countries and areas. This program shall include—

"(1) studies and activities relating to food technology;

"(2) development of suitable marketing techniques;

"(3) development of consumer acceptance programs; and

"(4) feeding programs designed to demonstrate the nutritional value of fish and other protein concentrates as a diet supplement.

In carrying out his functions under this section, the President shall consult with the National Council on Marine Resources and Engineering Development, appropriate Government agencies and other such technical groups or agencies as may be helpful with such activities. In accordance with section 601(b) of this Act, the President shall encourage full participation in such program by United States private enterprise. 75 Stat. 442. 22 USC 2359.

"(b) The President is authorized to use funds made available under this part for the purposes of this section, and is urged to use at least $2,500,000 of such funds for such purposes."

* * * * *

TITLE VI—ALLIANCE FOR PROGRESS

Sec. 106. Title VI of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to the Alliance for Progress, is amended as follows:

(a) Section 251(h) of the Foreign Assistance Act of 1961, as amended, which relates to transfers to international lending institutions, is amended as follows: 80 Stat. 799. 22 USC 2211.

(1) Immediately after "named in section 205" insert "(other than the Asian Development Bank)".

(2) Immediately after "for use" insert "in Latin America".

(b) Section 252, which relates to authorization, is amended as follows: 76 Stat. 258; 80 Stat. 799. 22 USC 2212.

(1) In the first sentence strike out "and for each of the fiscal years 1968 and 1969, $750,000,000" and substitute "and for the fiscal year 1968, $578,000,000".

(2) The second sentence is hereby repealed.

81 Stat. 452.

(3) In the third sentence strike out "June 30, 1969" and substitute "June 30, 1968".

Repeal.
80 Stat. 799.

(4) Insert "(a)" immediately after "SEC. 252. AUTHORIZATION.—" and at the end thereof add the following new subsection:

"(b) There is hereby authorized to be appropriated to the President for the fiscal year 1968, $714,000 for grants to carry out programs and activities of the Partners of the Alliance in accordance with the purposes of this title."

TITLE VIII—SOUTHEAST ASIA MULTILATERAL AND REGIONAL PROGRAMS

SEC. 107. Title VIII of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to Southeast Asia multilateral and regional programs, is amended by striking out section 273.

80 Stat. 800.
22 USC 2217b.

TITLE IX—UTILIZATION OF DEMOCRATIC INSTITUTIONS IN DEVELOPMENT

22 USC 2218.

SEC. 108. Section 281 of title IX of the Foreign Assistance Act of 1961, as amended, which relates to utilization of democratic institutions in development, is amended by inserting "(a)" immediately after "SEC. 281." and by adding at the end thereof the following new subsections:

"(b) In order to carry out the purposes of this title, programs under this chapter shall—

"(1) recognize the differing needs, desires, and capacities of the people of the respective developing countries and areas;

"(2) use the intellectual resources of such countries and areas in conjunction with assistance provided under this Act so as to encourage the development of indigenous institutions that meet their particular requirements for sustained economic and social progress; and

"(3) *support civic education and training in skills required for effective participation in governmental and political processes essential to self-government.*

"(c) In the allocation of funds for research under this chapter, emphasis shall be given to research designed to examine the political, social, and related obstacles to development in countries receiving assistance under part I of this Act.

"(d) Emphasis shall also be given to the evaluation of relevant past and current programs under part I of this Act and to applying this experience so as to strengthen their effectiveness in implementing the objectives of this title."

75 Stat. 426.
22 USC 2161-2218.

TITLE X—PROGRAMS RELATING TO POPULATION GROWTH

SEC. 109. Chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, is amended by adding at the end thereof the following new titles:

"TITLE X—PROGRAMS RELATING TO POPULATION GROWTH

"SEC. 291. GENERAL PROVISIONS.—(a) It is the sense of the Congress that, while every nation is and should be free to determine its own policies and procedures with respect to problems of population growth and family planning within its own boundaries, nevertheless, voluntary family planning programs to provide individual couples with the knowledge and medical facilities to plan their family size in accordance with their own moral convictions and the latest medical information, can make a substantial contribution to improve health, family stability, greater individual opportunity, economic development, a sufficiency of food, and a higher standard of living.

81 Stat. 453.

Family-planning assistance.

"(b) To carry out the intent of Congress as expressed in subsection (a), the President is authorized to provide assistance for programs relating to population growth in friendly foreign countries and areas, on such terms and conditions as he shall determine, to foreign governments, the United Nations, its specialized agencies, and other international organizations and programs, United States and foreign nonprofit organizations, universities, hospitals, accredited health institutions, and voluntary health or other qualified organizations.

"(c) In carrying out programs authorized in this title, the President shall establish reasonable procedures to insure, whenever family-planning assistance from the United States is involved, that no individual will be coerced to practice methods of family planning inconsistent with his or her moral, philosophical, or religious beliefs.

"Programs relating to population growth."

"(d) As used in this title, the term 'programs relating to population growth' includes but is not limited to demographic studies, medical, psychological, and sociological research and voluntary family planning programs, *including personnel training*, the construction and staffing of clinics and rural health centers, *specialized training of doctors and paramedical personnel*, the manufacture of medical supplies, and the dissemination of family-planning information, and provision of medical assistance and supplies.

"SEC. 292. AUTHORIZATION.—Of the funds provided to carry out the provisions of part I of this Act for the fiscal year 1968, $35,000,000 shall be available only to carry out the purposes of this title and, notwithstanding any other provision of this Act, funds used for such purposes may be used on a loan or grant basis.

22 USC 2151-2281.

* * * * *

CHAPTER 4—SUPPORTING ASSISTANCE

SEC. 111. Chapter 4 of part I of the Foreign Assistance Act of 1961, as amended, which relates to supporting assistance, is amended as follows:

75 Stat. 434;

(a) Section 401, which relates to general authority, is amended (1) by striking out all after "political stability" and substituting a period, and (2) by adding at the end thereof a new sentence as follows: "The authority of this chapter shall not be used to furnish assistance to more than twelve countries in any fiscal year."

(b) Section 402, which relates to authorization, is amended (1) by striking out "1967" and substituting "1968", and (2) by striking out "$715,000,000" and substituting "$660,000,000".

(c) At the end of such chapter 4 add the following new section:

"Sec. 403. United States Refund Claims.—It is the sense of the Congress that the President should seek the agreement of the Government of Vietnam to the establishment and maintenance of a separate special account of United States dollars, which account shall be available solely for withdrawals by the United States, at such times and in such amounts as the President may determine, in satisfaction of United States dollar refund claims against the Government of Vietnam arising out of operations conducted under this Act. Such account should be established in an amount not less than $10,000,000 and maintained thereafter at a level sufficient to cover United States refund claims as they arise."

81 Stat. 455.

CHAPTER 5—CONTINGENCY FUND

75 Stat. 434; 80 Stat. 801. 22 USC 2261.

Sec. 112. Section 451 of the Foreign Assistance Act of 1961, as amended, which relates to the contingency fund, is amended by striking out "1967" and "$110,000,000" and substituting "1968" and "$50,000,000", respectively.

CHAPTER 6—ASSISTANCE TO COUNTRIES HAVING AGRARIAN ECONOMIES

22 USC 2271.

Sec. 113. Section 461 of chapter 6 of the Foreign Assistance Act of 1961, as amended, which relates to assistance to countries having agrarian economies, is amended by inserting "(a)" immediately before "Wherever" and by adding at the end thereof the following new subsection:

"(b) In presenting proposals to the Congress for fiscal year 1969 the President shall include recommendations *for improving and establishing agricultural research and training facilities in tropical and subtropical regions of Latin America, Africa, and Asia*. These recommendations shall be developed after consultation with the Department of Agriculture, land-grant colleges of agriculture, and other appropriate institutions and organizations, including those in the regions concerned."

* * * * *

PART III

CHAPTER 3—MISCELLANEOUS PROVISIONS

SEC. 303. Chapter 3 of part III of the Foreign Assistance Act of 1961, as amended, which relates to miscellaneous provisions, is amended as follows:

*   *   *   *   *

(3) Subsection (f) is amended as follows: 77 Stat. 389.

(A) Strike out "including orientation, training aid" and "including the transfer of limited quantities of defense articles for test, evaluation, or standardization purposes,".

(B) Add the following new second sentence: " 'Training' includes formal or informal instruction of foreign students in the United States or overseas by officers or employees of the United States, contract technicians, contractors (including instruction at civilian institutions), or by correspondence courses, technical, educational, or information publications and media of all kinds, training aid, orientation, training exercise, and military advice to foreign military units and forces." "Training."

19. AIR QUALITY ACT OF 1967: PROVISIONS CONCERNING RESEARCH AND TRAINING

(Public Law 90–148, approved November 21, 1967)

A. LEGISLATIVE HISTORY

S. 780, the Air Quality Act of 1967 was introduced on January 31, 1967, by Senator Edmund S. Muskie, of Maine, and other Senators. The bill was referred to the Committee on Public Works.

Hearings on Air Pollution 1967 were held before the Subcommittee on Air and Water Pollution, of the Senate Committee on Public Works intermittently from February 13 to May 18, 1967.

S. 780 was reported in the Senate on July 16, 1967 (S. Rept. 403). It passed the Senate on July 18, 1967. It was referred to the Committee on Interstate and Foreign Commerce on July 19, 1967.

Hearings on the Air Quality Act of 1967 were held before the Committee on Interstate and Foreign Commerce on August 15, 16, 17, 18, 21, 22, 23, and 24, 1967.

S. 780 was reported in the House on October 3, 1967 (H. Rept. 728). It passed the House, amended, on November 2, 1967. On November 9, 1967, the Senate asked for a conference. On November 13, 1967, the House agreed to a conference. The conference report was filed on November 13, 1967 (H. Rept. 916). The House and Senate both agreed to the conference report on November 14, 1967. The Act was approved on November 21, 1967, and became Public Law 90–148.

B. SUMMARY OF CERTAIN PROVISIONS CONCERNING TRAINING AND RESEARCH

Among other provisions of the act are the following (in substance): The act directs the Secretary of Health, Education, and Welfare to conduct and promote the acceleration of research, investigations, experiments, training, demonstrations, surveys and studies relating to the causes, effects, extent, prevention, and control of air pollution. It authorizes the Secretary to provide training for, and make training grants to, personnel of air pollution control agencies and other persons with suitable qualifications. It also authorizes the Secretary to establish and maintain research fellowships, in the Department of Health, Education, and Welfare and at public or nonprofit private educational institutions or research organizations, for purposes set forth in the act. It directs the Secretary to make a complete study to determine, among other facts, the need for trained State and local personnel to carry out programs assisted pursuant to this act.

C. TEXT OF CERTAIN PROVISIONS OF THE ACT CONCERNING EDUCATION AND TRAINING

Following is the text of certain provisions of Public Law 90–148 relating to education and training, and research which may be carried out by educational institutions.

81 Stat. 485.

AN ACT To amend the Clean Air Act to authorize planning grants to air pollution control agencies; expand research provisions relating to fuels and vehicles; provide for interstate air pollution control agencies or commissions; authorize the establishment of air quality standards, and for other purposes

Air Quality Act of 1967.
77 Stat. 392;
79 Stat. 992.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Air Quality Act of 1967".

SEC. 2. The Clean Air Act, as amended (42 U.S.C. 1857–1857l), is hereby amended to read as follows:

"TITLE I—AIR POLLUTION PREVENTION AND CONTROL

* * * * *

"RESEARCH, INVESTIGATIONS, TRAINING, AND OTHER ACTIVITIES

"SEC. 103. (a) The Secretary shall establish a national research and development program for the prevention and control of air pollution and as part of such program shall—

"(1) conduct, and promote the coordination and acceleration of, research, investigations, experiments, training, demonstrations, surveys, and studies relating to the causes, effects, extent, prevention, and control of air pollution;

"(2) encourage, cooperate with, and render technical services and provide financial assistance to air pollution control agencies and other appropriate public or private agencies, institutions, and organizations, and individuals in the conduct of such activities;

"(3) conduct investigations and research and make surveys concerning any specific problem of air pollution in cooperation with any air pollution control agency with a view to recommending a solution of such problem, if he is requested to do so by such agency or if, in his judgment, such problem may affect any community or communities in a State other than that in which the source of the matter causing or contributing to the pollution is located;

"(4) establish technical advisory committees composed of recognized experts in various aspects of air pollution to assist in the examination and evaluation of research progress and proposals and to avoid duplication of research.

"(b) In carrying out the provisions of the preceding subsection the Secretary is authorized to—

"(1) collect and make available, through publications and other appropriate means, the results of and other information, including appropriate recommendations by him in connection therewith, pertaining to such research and other activities;

"(2) cooperate with other Federal departments and agencies, with air pollution control agencies, with other public and private agencies, institutions, and organizations, and with any industries involved, in the preparation and conduct of such research and other activities;

"(3) make grants to air pollution control agencies, to other public or nonprofit private agencies, institutions, and organizations, and to individuals, for purposes stated in subsection (a) (1) of this section;

"(4) contract with public or private agencies, institutions, and organizations, and with individuals, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529: 41 U.S.C. 5); 81 Stat. 487.

"(5) provide training for, and make training grants to, personnel of air pollution control agencies and other persons with suitable qualifications;

"(6) establish and maintain research fellowships, in the Department of Health, Education, and Welfare and at public or nonprofit private educational institutions or research organizations;

"(7) collect and disseminate, in cooperation with other Federal departments and agencies, and with other public or private agencies, institutions, and organizations having related responsibilities, basic data on chemical, physical, and biological effects of varying air quality and other information pertaining to air pollution and the prevention and control thereof; and

"(8) develop effective and practical processes, methods, and prototype devices for the prevention or control of air pollution.

"(c) In carrying out the provisions of subsection (a) of this section the Secretary shall conduct research on, and survey the results of other scientific studies on, the harmful effects on the health or welfare of persons by the various known air pollution agents (or combinations of agents).

"(d) The Secretary is authorized to construct such facilities and staff and equip them as he determines to be necessary to carry out his functions under this Act.

"(e) If, in the judgment of the Secretary, an air pollution problem of substantial significance may result from discharge or discharges into the atmosphere, he may call a conference concerning this potential air pollution problem to be held in or near one or more of the places where such discharge or discharges are occurring or will occur. All interested persons shall be given an opportunity to be heard at such conference, either orally or in writing, and shall be permitted to appear in person or by representative in accordance with procedures prescribed by the Secretary. If the Secretary finds, on the basis of the evidence presented at such conference, that the discharge or discharges if permitted to take place or continue are likely to cause or contribute to air pollution subject to abatement under section 108(a), he shall send such findings, together with recommendations concerning the measures which he finds reasonable and suitable to prevent such pollution, to the person or persons whose actions will result in the discharge or discharges involved; to air pollution agencies of the State or States and of the municipality or municipalities where such discharge or discharges will originate; and to the interstate air pollution control agency, if any, in the jurisdictional area of which any such municipality is located. Such findings and recommendations shall be advisory only, but shall be admitted together with the record of the conference, as part of the proceedings under subsections (d), (e), and (f) of section 108.

"RESEARCH RELATING TO FUELS AND VEHICLES

"SEC. 104. (a) The Secretary shall give special emphasis to research and development into new and improved methods, having industrywide application, for the prevention and control of air pollution resulting from the combustion of fuels. In furtherance of such research and development he shall—

81 Stat. 488.

"(1) conduct and accelerate research programs directed toward development of improved, low-cost techniques for control of combustion byproducts of fuels, for removal of potential pollutants from fuels, and for control of emissions from evaporation of fuels;

"(2) provide for Federal grants to public or nonprofit agencies, institutions, and organizations and to individuals, and contracts with public or private agencies, institutions, or persons, for payment of (A) part of the cost of acquiring, constructing, or otherwise securing for research, and development purposes, new or improved devices or methods having industrywide application of preventing or controlling discharges into the air of various types of pollutants; and (B) carrying out the other provisions of this section, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5): *Provided*, That research or demonstration contracts awarded pursuant to this subsection (including contracts for construction) may be made in accordance with, and subject to the limitations provided with respect to research contracts of the military departments in, section 2353 of title 10, United States Code, except that the determination, approval, and certification required thereby shall be made

70A Stat. 134.

by the Secretary: *Provided further*, That no grant may be made under this paragraph in excess of $1,500,000; Limitation.

"(3) determine, by laboratory and pilot plant testing, the results of air pollution research and studies in order to develop new or improved processes and plant designs to the point where they can be demonstrated on a large and practical scale;

"(4) construct, operate, and maintain, or assist in meeting the cost of the construction, operation, and maintenance of new or improved demonstration plants or processes which have promise of accomplishing the purposes of this Act;

"(5) study new or improved methods for the recovery and marketing of commercially valuable byproducts resulting from the removal of pollutants.

"(b) In carrying out the provisions of this section, the Secretary may—

"(1) conduct and accelerate research and development of low-cost instrumentation techniques to facilitate determination of quantity and quality of air pollutant emissions, including, but not limited to, automotive emissions;

"(2) utilize, on a reimbursable basis, the facilities of existing Federal scientific laboratories;

"(3) establish and operate necessary facilities and test sites at which to carry on the research, testing, development, and programing necessary to effectuate the purposes of this section;

"(4) acquire secret processes, technical data, inventions, patent applications, patents, licenses, and an interest in lands, plants, and facilities, and other property or rights by purchase, license, lease, or donation; and

"(5) cause on-site inspections to be made of promising domestic and foreign projects, and cooperate and participate in their development in instances in which the purposes of the Act will be served thereby.

Appropriation. "(c) For the purposes of this section there are authorized to be appropriated for the fiscal year ending June 30, 1968, $35,000,000, and for the fiscal year ending June 30, 1969, $90,000,000. Amounts appropriated pursuant to this subsection shall remain available until expended.

* * * * *

"COMPREHENSIVE ECONOMIC COST STUDIES

"SEC. 305. (a) In order to provide the basis for evaluating programs authorized by this Act and the development of new programs and to furnish the Congress with the information necessary for authorization of appropriations by fiscal years beginning after June 30, 1969, the Secretary, in cooperation with State, interstate, and local air pollution control agencies, shall make a detailed estimate of the cost of carrying out the provisions of this Act; a comprehensive study of the cost of program implementation by affected units of government; and a comprehensive study of the economic impact of air quality standards on the Nation's industries, communities, and other contributing sources of pollution, including an analysis of the national requirements for and the cost of controlling emissions to attain such standards of air quality as may be established pursuant to this Act or applicable State law. The Secretary shall submit such detailed estimate and the results of such comprehensive study of cost for the five-year period beginning July 1, 1969, and the results of such other studies, to the Congress not later than January 10, 1969, and shall submit a reevaluation of such estimate and studies annually thereafter.

Report to Congress.

Personnel study.
81 Stat. 506.

"(b) The Secretary shall also make a complete investigation and study to determine (1) the need for additional trained State and local personnel to carry out programs assisted pursuant to this Act and other programs for the same purpose as this Act; (2) means of using existing Federal training programs to train such personnel; and (3) the need for additional trained personnel to develop, operate and maintain those pollution control facilities designed and installed to implement air quality standards. He shall report the results of such investigation and study to the President and the Congress not later than July 1, 1969.

Report to President and Congress.

* * * * *

20. RESERVE FORCES BILL OF RIGHTS AND VITALIZATION ACT: PROVISIONS CONCERNING TRAINING

(Public Law 90–168, approved December 1, 1967)

A. Legislative History

H.R. 2, the "Reserve Forces Bill of Rights and Vitalization Act" was introduced on January 10, 1967 by Representative F. Edward Hébert, of Louisiana. The bill was referred to the Committee on Armed Services. Hearings on the bill were held before that committee on February 8, 1967.

H.R. 2 was reported from the Committee on Armed Services on February 13, 1967 (H. Rept. 13). It passed the House under suspension of the rules, on February 20, 1967.

Hearings on H.R. 2 were held before the Senate Committee on Armed Services on June 26, 27, September 27 and October 2 and 3, 1967. The bill was reported in the Senate, from the Committee on Armed Services, on November 7, 1967 (S. Rept. 732). It passed the Senate, amended, on November 8, 1967, and the Senate asked for a conference on that date. The House agreed to a conference on November 14, 1967. The conference report was filed on November 14, 1967 (H. Rept. 925). The House agreed to the conference report on November 15, 1967. The Senate agreed to the conference report on November 16, 1967. The Act was approved on December 1, 1967 and became Public Law 90–168.

B. Summary of Provisions Concerning Training

The Act contains several provisions for improvement of training for the reserve forces. It makes each Secretary of the Armed Forces responsible for providing the personnel, equipment, facilities and other logistical support necessary to enable his Ready Reserves to satisfy the training and mobilization requirements of his Ready Reserve units. It requires persons enlisting in the reserves to begin active duty for training within 180 days after enlistment.

C. TEXT OF CERTAIN PROVISIONS CONCERNING TRAINING

Following are excerpts from Public Law 90–168 containing provisions relative to training of the Reserve Forces (with emphasis added).

81 Stat. 521.

AN ACT To amend titles 10, 32, and 37, United States Code, to strengthen the reserve components of the armed forces, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Reserve Forces Bill of Rights and Vitalization Act".

Reserve Forces Bill of Rights and Vitalization Act.

SEC. 2. Title 10, United States Code, is amended as follows:

* * * * *

(6) Section 264 is amended to read as follows:

70A Stat. 11.

"§ 264. Reserve affairs: designation of general or flag officer of each military department; personnel and logistic support for reserves; reports to Congress

* * * * *

"(b) The Secretary concerned is responsible for providing the personnel, equipment, facilities, and other general logistic support necessary to enable units and Reserves in the Ready Reserve of the Reserve components under his jurisdiction *to satisfy the training requirements* and mobilization readiness requirements for those units and Reserves as recommended by the Secretary concerned and by the Joint Chiefs of Staff and approved by the Secretary of Defense, and as recommended by the Commandant of the Coast Guard and approved by the Secretary of Transportation when the Coast Guard is not operated as a service of the Navy.

"(c) The Secretary concerned shall submit a written report to the Committees on Armed Services of the Senate and the House of Representatives each year regarding the *extent to which units and Reserves in the Ready Reserve of the Reserve components under his jurisdiction have satisfied the training and mobilization readiness requirements* pursuant to subsection (b) of this section for the year with respect to which such report was submitted. Reports under this subsection shall be made on a fiscal year basis and the report for any fiscal year shall be submitted within 60 days after the end of the fiscal year for which it is submitted."

Report to congressional committees.

* * * * *

(10) Section 270(a)(1) is amended to read as follows:

72 Stat. 1438.

(1) *participate in at least 48 scheduled drills or training periods during each year and serve on active duty for training of not less than 14 days (exclusive of traveltime) during each year;*".

77 Stat. 135.

(11) Section 511(d) is amended to read as follows:

"(d) Under regulations to be prescribed by the Secretary of Defense, or the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy, a non-prior-service person who is under 26 years of age, who is qualified for induction for active duty in an armed force, and who is not under orders to report for induction into an armed force under the Military Selective Service Act of 1967 (50 App. U.S.C. 451–473), except as provided in section 6(c)-(2)(A)(ii) and (iii) of such Act, may be enlisted in the Army National Guard or the Air National Guard, or as a Reserve for Service in the Army Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard Reserve, for a term of six years. *Eash person enlisted under this subsection shall perform an initial period of active duty for training of not less than four months to commence insofar as practicable within 180 days after the date of the enlistment.*"

62 Stat. 604;
65 Stat. 75.
Ante, p. 100.

* * * * *

21. FACILITATION OF EXCHANGES OF LAND UNDER THE ACT OF MARCH 20, 1922, FOR PUBLIC SCHOOLS

(Public Law 90–171, approved December 4, 1967)

A. Legislative History

H.R. 10442, a bill to facilitate land exchanges for public schools, was introduced on May 31, 1967, by Representative B. F. Sisk, of California. The bill was referred to the Committee on Agriculture. Hearings on this and other bills were held before the Subcommittee on Departmental Oversight of the Committee on Agriculture on June 8, 9 and August 9, 1967.

H.R. 10442 was reported in the House on September 27, 1967 (H. Rept. 716). It passed the House on October 23, 1967. It was reported in the Senate, from the Committee on Agriculture and Forestry, on November 16, 1967 (S. Rept. 793). It passed the Senate on November 20, 1967. The Act was approved on December 4, 1967 and became Public Law 90–171.

B. Digest of the Act

The Act allows the Secretary of Agriculture to make an exchange of national forest lands with a public school authority which does not have sufficient lands for making the exchange if the school authority deposits with the Secretary the value of the selected land.

The Act provides that the deposit shall be covered into a special fund in the Treasury which when appropriated shall be available until expended by the Secretary for the acquisition of lands in the same State.

C. Text of the Act

Following is the text of Public Law 90–171:

81 Stat. 531.

AN ACT To facilitate exchanges of land under the Act of March 20, 1922 (42 Stat. 465), for use for public schools, and for other purposes

Public schools. Land exchanges in national forests. 43 Stat. 1090.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever an exchange of land is proposed by a public school district or other public school authority under the Act of March 20, 1922 (42 Stat. 465), as amended (16 U.S.C. 485, 486), or other authority under which the Secretary of Agriculture is authorized to exchange national forest lands or other lands administered by the Forest Service, if the public school authority proposing the exchange has insufficient land to offer, the exchange may be completed upon deposit with the Secretary of Agriculture of a portion or all of the value of the selected land. Any amount so deposited shall be covered into a special fund in the Treasury which when appropriated shall be available until expended by the Secretary of Agriculture for the acquisition of lands in the same State as the selected lands and which are determined by him to be suitable for the same purposes as the selected lands. Lands so acquired shall have the same status and shall be subject to the same laws, regulations, and rules as the selected lands.

Limitation.

The provisions of this Act shall not be applicable to the conveyance in exchange of more than eighty acres to any one public school district or other public school authority.

22. PEACE CORPS ACT AMENDMENT OF 1967

(Public Law 90–175, approved December 5, 1967)

(NOTE.—The Peace Corps arranges for the placement abroad of volunteer men and women of the United States in newly developing nations of the world to help fill the needs of these nations for skilled manpower. Peace Corps volunteers are selected, trained, and given assignments to serve for periods of 2 years teaching, building, or working in the communities to which they are sent. One of the principal channels of operation is through arrangements with colleges, universities, or other educational institutions.)

A. LEGISLATIVE HISTORY

S. 1031, a bill to amend further the Peace Corps Act, as amended, was introduced on February 20, 1967, by request, by Senator J. W. Fulbright, of Arkansas. The bill was referred to the Committee on Foreign Relations. Hearings on the bill were held before that committee on May 4, 1967.

The bill was reported in the Senate on May 11, 1967 (S. Rept. 223). It passed the Senate on May 15, 1967, and was referred to the Committee on Foreign Affairs on May 16, 1967. The Committee on Foreign Affairs held hearings on the bill on September 19 and 26, 1967. The bill was reported in the House on October 23, 1967 (H. Rept. 807). It passed the House on November 21, 1967. It was approved on December 5, 1967 and became Public Law 90–175.

B. Digest of the Act

The Act authorizes the appropriation of $15,700,000 to carry out the purposes of the Peace Corps Act for the fiscal year 1968.

C. Text of the Act

Following is the text of Public Law 90-175.

81 Stat. 542.

AN ACT To amend further the Peace Corps Act (75 Stat. 612), as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That section 3 (b) of the Peace Corps Act, as amended, which authorizes appropriations to carry out the purposes of that Act, is amended by striking out "1967" and "$110,000,000" and substituting "1968" and "$115,700,000", respectively.

Peace Corps.
Appropriation authorization.
80 Stat. 764.
22 USC 2502.

23. ATOMIC ENERGY ACT AMENDMENT: ADDITIONAL RESEARCH AND TRAINING AUTHORITY

(Public Law 90-190, approved December 14, 1967)

A. Legislative History

Hearings on "AEC Omnibus Legislation 1967" were held before the Subcommittees on Communities and Legislation, of the Joint Committee on Atomic Energy on August 11, 15 and 24, 1967.

S. 2644 was introduced on November 9, 1967, by Senator John O. Pastore, of Rhode Island. The bill was referred to the Committee on Atomic Energy. It was reported in the Senate on November 13, 1967 (S. Rept. 743). It passed the Senate on November 15, 1967. It passed the House on November 30, 1967. It was approved on December 14, 1967 and became Public Law 90-190.

B. Digest of Provision Concerning Research and Training

The Act authorizes the Atomic Energy Commission under certain circumstances to conduct, for other persons, research and development or training activities and studies in the fields of protection of public health and safety.

C. Text of Provision Concerning Research and Training

Following is the text of the provision of Public Law 900-190 relative to research and training (emphasis added).

81 Stat. 575.

AN ACT To amend the Atomic Energy Community Act of 1955, as amended, the Atomic Energy Act of 1954, as amended, and the EURATOM Cooperation Act of 1958, as amended.

* * * * *

Research, additional authority.
42 USC 2053.

Sec. 7. Section 33 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"Sec. 33. Research for Others.—Where the Commission finds private facilities or laboratories are inadequate to the purpose, it is authorized to conduct for other persons, through its own facilities, such of those activities and studies of the types specified in section 31 as it deems appropriate to the development of atomic energy. To the extent the Commission determines that private facilities or laboratories are inadequate to the purpose, and that the Commission's facilities, or scientific or technical resources have the potential of lending significant assistance to other persons in the fields of protection of public health and safety, the Commission may also assist other persons in these fields by conducting for such persons, through the Commission's own facilities, *research and development or training activities and studies*. The Commission is authorized to determine and make such charges as in its discretion may be desirable for the conduct of the activities and studies referred to in this section."

68 Stat. 927;
70 Stat. 1069.
42 USC 2051.

* * * * *

24. POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967: PROVISIONS AFFECTING EDUCATION

(Public Law 90–206, approved December 16, 1967)

A. Legislative History

H.R. 7977, the "Postal Revenue and Federal Salary Act of 1967" was introduced on April 5, 1967 by Representative Thaddeus J. Dulski, of New York. The bill was referred to the Committee on Post Office and Civil Service.

Hearings on the "Federal Salary Act of 1967" were held before the Subcommittee on Compensation of the House Committee on Post Office and Civil Service intermittently from April 25 to June 22, 1967. Hearings on "Postal Rates" were held before the Senate Committee on Post Office and Civil Service on October 16, 17, 18, 19, 20, 23, 24, 25, 26, 27 and 30, 1967.

H.R. 7977 was reported in the House on September 28, 1967 (H. Rept. 722). It passed the House on October 11, 1967. It was reported in the Senate, from the Committee on Post Office and Civil Service, on November 21, 1967 (S. Rept. 801). It passed the Senate, amended, and the Senate asked for a conference on November 29, 1967. On November 30, 1967, the House agreed to a conference. The conference report was filed on December 7, 1967 (H. Rept. 1013). The House concurred in the Senate amendment with an amendment on December 11, 1967. The Senate agreed to the House amendment to the Senate amendment on December 12, 1967. The Act was approved on December 16, 1967 and became Public Law 90–206.

B. Summary of Provisions Affecting Education

The act contains several provisions conerning or affecting education, including the following:

The act establishes special second-class postage rates for nonprofit publications, classroom publications, and agricultural publications.

It increases the rate on fourth-class mail applicable to libraries, schools, and certain nonprofit organizations, from four cents for the first pound to five cents for the first pound; and from one cent to two cents for each additional pound. It clarifies the existing law so that it will not be interpreted to deny the special fourth-class rates to book supplements.

It extends certain free mailing privileges to persons who cannot use or read conventionally printed material because of a physical impairment.

It adds publications of nonprofit and State-owned educational television stations to the group of organizations eligible for second-class rates without subscribers.

C. Text of Provisions Affecting Education

Following is the text of certain provisions of Public Law 90-206 concerning or affecting education (emphasis added).

AN ACT To adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes.

Postal Revenue and Federal Salary Act of 1967.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Postal Revenue and Federal Salary Act of 1967".

TITLE I—POSTAL RATES

* * * * *

SECOND-CLASS MAIL PREFERRED RATES

76 Stat. 832

SEC. 103. (a) Section 4358 of title 39, United States Code, is amended—

(1) by striking out subsection (a) and inserting in lieu thereof the following:

* * * * *

81 Stat. 616.

"(a) Except as provided in subsection (b), the rate of postage on publications admitted as second-class mail when addressed for delivery within the county in which they are published and entered is as follows:

"[In cents]

	"Mailed during calendar year 1968	Mailed during calendar year 1969	Mailed after Dec. 31,1969
Rate per pound	1.3	1.4	1.5
Minimum charge per piece	.2	.2	.2";

(2) by adding at the end thereof the following:

74 Stat. 669.

"(d)(1) Except as provided in paragraph (2), the rates of postage on publications mailed in accordance with section 4359(a) of this title, of qualified nonprofit organizations, are as follows:

"[In cents]

	"During calendar year 1968	During calendar year 1969	During calendar year 1970	During calendar year 1971	During calendar year 1972	During calendar year 1973 and thereafter
Rate per pound:						
Advertising portion:						
Zones 1 and 2	2.35	2.9	3.45	4.0	4.55	5.1
Zone 3	2.55	3.3	4.05	4.8	5.55	6.3
Zone 4	2.95	4.1	5.25	6.4	7.55	8.7
Zone 5	3.35	4.9	6.45	8.0	9.55	11.1
Zone 6	3.5	5.2	6.9	8.6	10.3	12.0
Zone 7	3.5	5.2	6.9	8.6	10.3	12.0
Zone 8	3.5	5.2	6.9	8.6	10.3	12.0
Nonadvertising portion	1.9	2.0	2.1	2.1	2.1	2.1
Minimum charge per piece	.13	.15	.2	.2	.2	.2

"(2) The postage on an issue of a publication referred to in paragraph (1), the advertising portion of which does not exceed 10 per centum of such issue, shall be computed without regard to the rates applicable to the advertising portion prescribed in such paragraph.

"(e) The *postage on classroom publications*, mailed in accordance with section 4359(a) of this title, is 60 per centum of the postage computed in accordance with section 4359(b) of this title. *Post*, p. 617.

"(f) The postage shall be 4.2 cents per pound on the advertising portion of publications (1) which are mailed for delivery in zones 1 and 2 in accordance with section 4359(a) of this title, (2) *which are devoted to promoting the science of agriculture*, and (3) when the total number of copies of the publications furnished during any twelve-month period to subscribers residing in rural areas consists of at least 70 per centum of the total number of copies distributed by any means for any purpose.

"(g) In lieu of the minimum charge per piece prescribed by section 4359(b) of this title, the minimum charge per piece for publications (other than publications to which subsections (d) and (e) of this section are applicable), when fewer than five thousand copies are mailed outside the county of publication, is 0.6 cent per piece when mailed during the calendar year 1968, 0.7 cent per piece when mailed during the calendar year 1969, and 0.8 cent per piece when mailed thereafter.

"(h) The publisher of *a classroom publication*, of a publication referred to in subsection (f) of this section, or of a publication of a nonprofit organization, before being entitled to the rates for the publications, shall furnish such proof of qualifications as the Postmaster General prescribes.

"(i) For the purposes of the application of this section with respect to each publication having original entry at an independent incorporated city, an incorporated city which is situated entirely within a county, or which is situated contiguous to one or more counties in the same State, but which is politically independent of such county or counties, shall be considered to be within and a part of the county with which it is principally contiguous. 81 Stat. 617.

Definitions.

"(j) As used in this section—

"(1) *'classroom publication' means a religious, educational, or scientific publication entered as second-class mail and designed specifically for use in classrooms or in religious instruction classes;*

"(2) 'a publication of a qualified nonprofit organization' means a publication published by and in the interest of one of the following types of organizations or associations if it is not organized for profit and none of its net income inures to the benefit of any private stockholder or individual: Religious, *educational*, scientific, philanthropic, agricultural, labor, veterans', fraternal, and associations of rural electric cooperatives, *program announcements or guides published by an educational radio or television agency of a State or political subdivision thereof or by a nonprofit educational radio or television station*, and not to exceed one publication published by the official highway or development agency of a State which meets all of the requirements of section 4354 and which contains no advertising; 74 Stat. 666.

* * * * *

SPECIAL RATE FOURTH-CLASS MAIL

76 Stat. 445. SEC. 108. (a) Section 4554 of title 39, United State Code, is amended—

(1) by amending so much of subsection (a) as precedes subparagraph (3) thereof to read as follows:

"(a) Except as provided in subsection (b) of this section, the postage rate is 12 cents for the first pound or fraction thereof and 6 cents for each additional pound or fraction thereof, except that the rate now or hereafter prescribed for third- or fourth-class matter shall apply in every case where such rate is lower that the rate prescribed in this subsection on—

81 Stat. 620. "(1) *books, including books issued to supplement other books*, consisting wholly of reading matter or scholarly bibliography or reading matter with incidental blank spaces for notations, and containing no advertising matter other than incidental announcements of books;

"(2) 16-millimeter or narrower width films, and catalogs of such films, except when sent to or from commercial theaters;";

76 Stat. 445. (2) by striking out in subsection (b)(1) "4 cents for the first pound or fraction thereof and 1 cent for each additional pound or fraction thereof" and inserting in lieu thereof "5 cents for the first pound or fraction thereof and 2 cents for each additional pound or fraction thereof";

(3) by inserting in subsection (b)(1)(B) "museums and herbaria," immediately following "public libraries,";

(4) in subsection (b)(2) by striking out "and" at the end of clause (E); by striking out the period at the end of clause (F) and inserting in lieu thereof "; and"; and by adding at the end of such subsection the following new clause:

"(G) *museum materials, specimens, collections, teaching aids, printed matter, and interpretative materials intended to* *inform and to further the education work and interests of museums and herbaria.*";

(5) by inserting in subsection (c) "or narrower width" immediately following "16-millimeter", and "museum materials, specimens, collections, teaching aids, printed matter, and interpretative materials intended to inform and to further the educational work and interests of museums and herbaria," immediately following "sound recordings,"; and

(6) by amending subsection (e) to read as follows:

"(e) Articles may be mailed under this section in quantities of one thousand or more in a single mailing, as defined by the Postmaster General, only in the manner directed by him.".

(b) Subparagraph (6) of section 4554(a) of title 39, United States Code, is amended by inserting "playscripts and" immediately following "(6)".

(c) The section heading of section 4554 of title 39, United States Code, is amended to read— 74 Stat. 675.

"§ 4554. *Books*, films, and other materials; preferred rates".

(d) The table of contents of chapter 67 of title 39, United States Code, is amended by striking out—

"4554. Postage rates on books and films."

and inserting in lieu thereof—

"4554. *Books*, films, and other materials; preferred rates.".

MAIL MATTER FOR BLIND AND OTHER HANDICAPPED PERSONS

SEC. 114. (a) Chapter 69 of title 39, United States Code, is amended by striking out sections 4653 and 4654 thereof and inserting in lieu thereof the following: 76 Stat. 837.

"§4653. Matter for *blind and other handicapped persons*

"(a) The matter described in subsection (b) (other than matter mailed under section 4654 of this title) may be mailed free of postage, if—

"(1) the matter is for the use of the *blind or other persons who cannot use or read conventionally printed material* because of a physical impairment who are certified by competent authority as unable to read normal reading material in accordance with the provisions of the first section of the Act of July 30, 1966 (Public Law 89–522; 80 Stat. 330); 2 USC 135a, 135b.

"(2) no charge, or rental, subscription, or other fee, is required for such matter or a charge, or rental, subscription, or other fee is required for such matter not in excess of the cost thereof;

"(3) the matter may be opened by the Postmaster General for inspection;

"(4) the matter contains no advertising; and

"(5) the matter is mailed subject to size and weight limitations prescribed by the Postmaster General.

"(b) The free mailing privilege provided by subsection (a) is extended to—

"(1) reading matter and musical scores;

"(2) sound reproductions;

"(3) paper, records, tapes, and other material for the production of reading matter, musical scores, or sound reproductions;

81 Stat. 622.

"(4) reproducers or parts thereof, for sound reproductions and

"(5) Braille writers, typewriters, *educational or other materials or devices, or parts thereof, used for writing by, or specifically designed or adapted for use of, a blind person or a person having a physical impairment as described in subsection (a)(1) of this section.*

* * * * *

EDUCATIONAL TELEVISION

74 Stat. 667; 76 Stat. 837.

SEC. 121. Section 4355(a) of title 39, United States Code, is amended by striking out the period at the end of item (10) and inserting in lieu thereof a semicolon and the word "or," and by adding after item (10) the following new item:

"(11) program announcements or guides published by an educational radio or television agency of a State or political subdivision thereof or by a *nonprofit educational radio or television station.*".

* * * * *

25. AMENDMENT OF DISTRICT OF COLUMBIA TEACHERS' LEAVE ACT

(Public Law 90–212, approved December 18, 1967)

A. Legislative History

H.R. 5709 was introduced on February 20, 1967 by Representative Joel T. Broyhill, of Virginia. The bill was referred to the Committee on the District of Columbia. It was reported from that committee on August 25, 1967 (H. Rept. 604). It passed the House on August 28, 1967. It was reported in the Senate, from the Committee on the District of Columbia, on December 11, 1967 (S. Rept. 913). It passed the Senate on December 12, 1967. The Act was approved on December 18, 1967 and became Public Law 90–212.

B. Digest of the Act

The Act removed the limitation on the total cumulation of sick leave (formerly 75 days) for teachers in the District of Columbia and increased the limit of advance sick leave from 25 to 30 days for probationary or permanent teachers or attendance officers.

C. Text of the Act

Following is the text of Public Law 90–212.

AN ACT To amend the District of Columbia Teachers' Leave Act of 1949 to remove certain limitations, and for other purposes.

81 Stat. 659.

D.C. teachers. Sick and emergency leave.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the District of Columbia Teachers' Leave Act of 1949 (D.C. Code, sec. 31–691) is amended by striking out the third sentence thereof.

(b) The last sentence of section 2 of the District of Columbia Teachers' Leave Act of 1949 (D.C. Code, sec. 31–692) is amended to read as follows: "No attendance officer shall be entitled to annual or sick leave with pay under the provisions of any other Act."

(c) Section 4 of the District of Columbia Teachers' Leave Act of 1949 (D.C. Code, sec. 31–694) is amended by striking out "twenty-five" and inserting in lieu thereof "thirty".

26. AMENDMENT OF DISTRICT OF COLUMBIA PUBLIC-SCHOOL TEACHERS RETIREMENT ACT

(Public Law 90–231, approved December 29, 1967)

A. Legislative History

H.R. 12505 was introduced on August 22, 1967 by Representative Joel T. Broyhill, of Virginia. The bill was referred to the Committee on the District of Columbia. It was reported from that committee on August 25, 1967 (H. Rept. 605). It passed the House on August 28, 1967. It was reported in the Senate, from the Committee on the District of Columbia on December 11, 1967 (S. Rept. 915). It passed the Senate, amended, on December 12, 1967. The House agreed to the Senate amendments on December 13, 1967. The act was approved on December 29, 1967 and became Public Law 90–231.

B. Digest of the Act

The act provides that a District of Columbia public school teacher may retire on a full annuity at age 55 after 30 years of service or at age 60 after 20 years of service.

It provides that the death of a teacher who is receiving a deferred annuity shall terminate the annuity.

It allows the teacher to deposit the required sums in the retirement and annuity fund in monthly installments with interest at 3 percent compounded annually, upon making a claim to the Commissioner of the District of Columbia. Sets forth the requirements for the child of a deceased teacher to receive the annuity benefits, and defines the term "child."

The Act establishes an order of precedence in payment of specific lump sum benefits to persons surviving the teacher.

C. Text of the Act

81 Stat. 747

AN ACT To provide that a District of Columbia public school teacher may retire on a full annuity at age fifty-five after thirty years of service or at age sixty after twenty years of service, and for other purposes.

D.C. public school teachers.
Retirement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act for the retirement of public-school teachers in the District of Columbia", approved August 7, 1946, is amended as follows:

71 Stat. 46.

(1) The proviso in the second sentence of the first paragraph of the first section of such Act (D.C. Code, sec. 31–721) is amended by striking out "teaching service' and inserting in lieu thereof "eligible service".

60 Stat. 876.

(2) Section 3 of such Act (D.C. Code, sec. 31–723) is amended to read as follows:

Voluntary retirement.

"Sec. 3. (a) Any teacher who completes five years of eligible service and who is separated from the service—

"(1) after becoming fifty-five years of age and completing thirty years of service,

"(2) after becoming sixty years of age and completing twenty years of service, or

"(3) after becoming sixty-two years of age,

is entitled to an annuity.

Involuntary retirement.

"(b) Any teacher who completes five years of eligible service and who is involuntarily separated from the service, except by removal for cause on charges of misconduct or delinquency, after (1) completing twenty-five years of service, or (2) becoming fifty years of age and completing twenty years of service, is entitled to an annuity reduced by one-sixth of 1 per centum for each full month such teacher is under the age of fifty-five years at the date of his separation from the service.

Retirement at age 62.

Retirement at age 70.

"(c) Any teacher who completes five years of eligible service and who becomes sixty-two years of age may be separated from the service by the Board of Education upon the written recommendation of the Superintendent of Schools. Any teacher who becomes seventy years of age shall be separated from the service unless upon the written recommendation of the Superintendent of Schools two-thirds of the members of the Board of Education vote to retain such teacher in the public schools for the good of the service.

Post, p. 748.

"(d)(1) The length of a teacher's service shall be computed in accordance with section 8 of this Act.

Post, p. 748.

"(2) The amount of an annuity authorized by this section shall be computed in accordance with section 5 of this Act.

"(3) Each annuity authorized by this section shall commence on the day after the teacher is separated from the service and shall terminate on the date the teacher dies."

Disability.
60 Stat. 877;
71 Stat. 46.

(3) Section 4 of such Act (D.C. Code, sec. 31–724) is amended—

(A) by striking out in the first paragraph "Any teacher to whom this Act applies who shall have served on active duty in the public schools of the District of Columbia for a total period of not less than five years" and inserting in lieu thereof "Any teacher who completes five years of eligible service"; and

(B) by striking out in the first paragraph "section 5 and 6 hereof: *Provided*, That proof" and inserting in lieu thereof "sections 5 and 6 of this Act and beginning on the day after his pay ceases and he meets the service and disability requirements for title to annuity. Proof".

81 Stat. 748.

Annuity computation.
66 Stat. 17.

(4) Section 5 of such Act (D.C. Code, sec. 31-725) is amended—

(A) by amending the second sentence of subsection (a) to read as follows: "Each annuity is stated as an annual amount, one-twelfth of which, fixed at the nearest dollar, constitutes the monthly rate payable on the first business day of the month after the month or other period for which it has accrued.";

Survivor benefits, commencement and termination.

(B) by striking out the last sentence of paragraph (1) of subsection (b) and inserting in lieu thereof the following new sentence: "The annuity of such widow or widower shall begin on the day after the retired teacher dies. Such annuity and any right thereto shall terminate on the last day of the month before (A) the widow or widower dies, or (B) the widow or widower remarries before becoming sixty years of age. In the case of a surviving widow or widower whose annuity under this paragraph is terminated because of remarriage before becoming sixty years of age, annuity at the same rate shall be restored commencing on the day the remarriage is dissolved by death, annulment, or divorce, if—

"(i) the surviving widow or widower elects to receive the annuity which was terminated instead of a survivor benefit to which the surviving widow or widower may be entitled, under this Act or another retirement system for employees of the Federal or District Government, by reason of the remarriage; and

"(ii) any lump sum paid on termination of the annuity is returned to the teachers' retirement and annuity fund established under section 2 of this Act."; and

60 Stat. 876.
D.C. Code 31-722.

(C) by striking out in the first sentence of paragraph (2) of subsection (b) "and upon the death of such survivor annuitant all payments shall cease and no further annuity shall be due and payable" and by adding after such sentence the following new sentence: "The annuity of the survivor annuitant shall commence on the day after the retired teacher dies, and such annuity and any right thereto shall terminate on the last day of the month before the death of the survivor annuitant."

Transfer of retirement funds.
60 Stat. 879.
D.C. Code 31-632 to 31-637.

(5) The second sentence of the first paragraph of section 8 of such Act (D.C. Code, sec. 31-728) is amended by striking out "Act of June 12, 1940 (54 Stat. 349): *Provided further*" and all that follows down through "nothing contained herein shall be construed" in the last proviso in that sentence and inserting in lieu thereof "Act of June 12, 1940 (54 Stat. 349).

If the teacher so elects he may deposit the required sum in the teacher's retirement and annuity fund in monthly installments with interest at 3 per centum per annum compounded annually, upon making a claim with the Commissioner of the District of Columbia, or his designated agent. This section shall not be construed";

Deferred annuity.
60 Stat. 880;
71 Stat. 47.

(6) Section 9 of such Act (D.C. Code, sec. 31–729) is amended—

(A) by striking out in subsection (a) "after having served in the public schools of the District of Columbia for a total period of not less than five years" and inserting in lieu thereof "after completing five years of eligible service";

(B) by striking out in subsection (a) "beginning at the age of sixty-two years computed as provided in section 5 of this Act" and inserting in lieu thereof ", computed as provided in section 5 of this Act, beginning at the age of sixty-two years and terminating on the date of his death";

Supra.

(C) by striking out in paragraph (1) of subsection (b) "after having rendered at last five years of service in the public schools of the District of Columbia" and inserting in lieu thereof "after completing five years of eligible service";

81 STAT. 749.

66 Stat. 20.
D.C. Code 31-729.
71 Stat. 47.

(D)(i) by striking out in paragraph (1) of subsection (b) "first day of the month following the death of the teacher" and inserting in lieu thereof "day after the teacher dies";

(ii) by striking out in such paragraph "teacher: *Provided*, That such payments or any right thereto shall cease upon the death or remarriage of the widow, or dependent widower, or upon the widower's becoming capable of self-support." and inserting the following:

"teacher. Such annuity and any right thereto shall terminate on the last day of the month before (A) the widow or dependent widower dies, (B) the widow or dependent widower remarries before becoming sixty years of age, or (C) the dependent widower becomes capable of self-support. In the case of a widow or dependent widower whose annuity under this paragraph is terminated because of remarriage before becoming sixty years of age, annuity at the same rate shall be restored commencing on the day the remarriage is dissolved by death, annulment, or divorce, if—

"(i) the widow or dependent widower elects to receive the annuity which was terminated instead of a survivor benefit to which the widow or dependent widower may be entitled, under this Act or another retirement system for employees of the Federal or District Government, by reason of the remarriage; and

"(ii) any lump sum paid on termination of the annuity is returned to the teachers' retirement and annuity fund established under section 2 of this Act.";

60 Stat. 876.
D.C. Code 31-722.

(E) by striking out paragraph (2) and redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively;

(F)(i) by striking out in the first sentence of paragraph (2) of subsection (b) (as so redesignated by subparagraph (E) of this paragraph) "five years of service in the public schools of the District of Columbia" and inserting in lieu thereof "five years of eligible service";

(ii) by striking out the third sentence of such paragraph and inserting in lieu thereof the following:

Child's annuity commencement and termination.
76 Stat. 1238;
78 Stat. 886.

"The child's annuity shall commence on the first day after the teacher dies. Such annuity and the right thereto terminate on the last day of the month before the child—

"(A) becomes eighteen years of age unless he is then a student as described or incapable of self-support;

"(B) becomes capable of self-support after becoming eighteen years of age unless he is then such a student;

"(C) becomes twenty-two years of age if he is then such a student and capable of self-support;

"D) ceases to be such a student after becoming eighteen years of age unless he is then incapable of self-support; or

"(E) dies or marries;

whichever first occurs."

(G) by striking out in the first sentence of paragraph (3) of subsection (b) (as so redesignated by subparagraph (E) of this paragraph) "After having rendered at least five years of service in the public schools of the District of Columbia" and inserting in lieu thereof "after completing five years of eligible service";

(H) paragraph (2) of subsection (c) is amended to read as follows:

"Child."

"(2) The term 'child' means—

"(A) an unmarried child under eighteen years of age, including (i) an adopted child, and (ii) a stepchild or recognized natural child who lived with the teacher in a regular parent-child relationship;

81 Stat. 750.

"(B) such unmarried child regardless of age who is incapable of self-support because of mental or physical disability incurred before age eighteen; or

"(C) such unmarried child between eighteen and twenty-two years of age who is a student regularly pursuing a fulltime course of study or training in residence in a high school, trade school, technical or vocational institute, junior college, college, university, or comparable recognized educational institution.

Ante, p. 749.

For the purpose of this paragraph and paragraph (2) of subsection (b) of this section, a child whose twenty-second birthday occurs before July 1 or after August 31 of a calendar year, and while he is regularly pursuing such a course of study or training, is deemed to have become twenty-two years of age on the first day of July after that birthday. A child who is a student is deemed not to have ceased to be a student during an interim between school years if the interim is not more than five months and if he shows to the satisfaction of the Commissioner of the District of Columbia that he has a bona fide intention of continuing to pursue a course of study or training in the same or different school during the school semester (or other period into which the school year is divided) immediately after the interim."

Beneficiaries.
60 Stat. 880;
66 Stat. 21.

(7) Section 10 of such Act (D.C. Code, sec. 31-730) is amended to read as follows:

"SEC. 10. (a) Under regulations prescribed by the Commissioner of the District of Columbia, a present or former teacher may designate a beneficiary or beneficiaries for the purpose of this Act.

"(b) Lump-sum benefits authorized by subsections (c), (d), and (e) of this section shall be paid in the following order of precedence, to the person or persons surviving the teacher and alive at the date title to the payment arises, and the payment bars recovery by any other person:

"First, to the beneficiary or beneficiaries designated by the teacher in a signed and witnessed writing received by the Commissioner of the District of Columbia before his death.

"Second, if there is no designated beneficiary, to the widow or widower of the teacher.

"Third, if none of the above, to the child or children of the teacher and descendants of deceased children by representation.

"Fourth, if none of the above, to the parents of the teacher or the survivor of them.

"Fifth, if none of the above, to the duly appointed executor or administrator of the estate of the teacher.

"Sixth, if none of the above, to such other next of kin of the teacher as the Commissioner of the District of Columbia determines to be entitled under the laws of the domicile of the teacher at the date of his death.

"Child."

For the purpose of this subsection, the term 'child' includes a natural child and an adopted child, but does not include a stepchild.

Payment of lump-sum credit.

"(c) If—

"(1) a teacher dies—

"(A) without a survivor, or

"(B) with a survivor or survivors and the right of all survivors terminates before a claim for survivor annuity is filed; or

"(2) a former teacher not retired dies,

81 Stat. 751.

the lump sum credit shall be paid.

"(d) If all annuity rights under this Act based on the service of a deceased teacher terminate before the total annuity paid equals the lump-sum credit, the difference shall be paid.

"(e) If an annuitant dies, any annuity accrued and unpaid shall be paid.

"Lump-sum credit."

"(f) For purposes of this section, the term 'lump-sum credit' means the unrefunded amount consisting of—

"(1) retirement deductions made under this Act from the salary of a teacher;

"(2) amounts deposited into the teachers' retirement and annuity fund by a teacher covering earlier service; and

"(3) interest on deductions and deposits made with respect to service which aggregates more than one year but excluding interest for the fractional part of a month in the the total service."

(8) Section 13 of such Act (D.C. Code, sec. 31–733) is amended— 60 Stat. 881; 71 Stat. 48.

(A) by striking out "creditable service" and inserting in lieu thereof "eligible service"; and

(B) by adding at the end the following new paragraph: "Eligible service."

"For purposes of this Act, the term 'eligible service' means service in the public schools of the District of Columbia under a temporary, probationary, or permanent appointment to a position, the rate of compensation of which is prescribed in the salary schedule contained in section 1 of the District of Columbia Teachers' Salary Act of 1955 (D.C. Code, sec. 31–1501)."

(9) The first sentence of section 21 of such Act (D.C. Code sec. 31–739a) is amended by striking out "December 30, 1965" and inserting in lieu thereof "January 1, 1966". 80 Stat. 1594. Annuities, adjustments. 80 Stat. 266. Definitions.

(10) Such Act is amended by adding at the end thereof the following new section:

"Sec. 22. Wherever the term 'Commissioners of the District of Columbia' is used in the first section of this Act and section 16 of this Act, as amended, such term shall be deemed to mean the District of Columbia Council. Wherever the term 'Board of Commissioners of the District of Columbia', or 'Commissioners of the District of Columbia' is otherwise used in this Act, as amended or supplemented, such term shall be deemed to mean the Commissioner of the District of Columbia." D.C. Code 31-721, 31-736.

27. FOREIGN ASSISTANCE AND RELATED AGENCIES APPROPRIATION ACT, 1968; APPROPRIATIONS AFFECTING EDUCATION AND TRAINING

(Public Law 90–249, approved January 2, 1968)

A. Legislative History

Hearings on "Foreign Assistance and Related Agencies Appropriations for 1968" were held before a subcommittee of the House Committee on Appropriations intermittently from March 20, 1967 to May 29, 1967. Hearings on "Foreign Assistance and Related Agencies Appropriations" for the fiscal year 1968 were held before the Senate Committee on Appropriations on November 14, 15, 16, 20, and 21, 1967.

H.R. 13893, the "Foreign Assistance and Related Agencies Appropriation Act, 1968" was introduced on November 6, 1967 by Representative Otto E. Passman, of Louisiana. The bill was referred to the Committee on Appropriations and was reported from that committee on November 6, 1967 (H. Rept. 891). It passed the House on November 17, 1967. It was reported in the Senate, from the Committee on Appropriations, on November 28, 1967 (S. Rept. 807). It passed the Senate, amended, and the Senate asked for a conference, on December 7, 1967. On December 11, 1967 the House agreed to a conference. The conference report was filed on December 13, 1967 (H. Rept. 1044). The conference report was recommitted on December 14, 1967. The second conference report was filed on December 14, 1967 (H. Rept. 1046). The House and Senate both agreed to the conference report on December 15, 1967. The Act was approved on January 2 1968 and became Public Law 90–249.

B. SUMMARY OF CERTAIN APPROPRIATIONS AFFECTING EDUCATION AND TRAINING

Education and training are widely involved in foreign assistance, but funds made available for educational and training purposes are generally not separately identified in this Act. Following is a list of some of the appropriations which may be used in part for such purposes:

Technical cooperation and development grants	$180, 000, 000
American schools and hospitals abroad	11, 500, 000
American schools and hospitals abroad (special foreign currency program)	5, 986, 000
International organizations and programs	130, 000, 000
Supporting assistance	600, 000, 000
Alliance for Progress	80, 000, 000
Military assistance	400, 000, 000
Peace Corps	107, 500, 000
Department of Health, Education and Welfare (Assistance to refugees in the United States)	49, 000, 000

C. TEXT OF CERTAIN APPROPRIATIONS AFFECTING EDUCATION AND TRAINING

Following is the text of certain appropriations made by Public Law 90–249 which may be used in whole or in part for educational purposes (emphasis added).

81 Stat. 936.

AN ACT Making appropriations for Foreign Assistance and related agencies for the fiscal year ending June 30, 1968, and for other purposes.

Foreign Assistance and Related Agencies Appropriation Act, 1968.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated for Foreign Assistance and related agencies for the fiscal year ending June 30, 1968, and for other purposes, namely:

TITLE I—FOREIGN ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

75 Stat. 424.
22 USC 2151 note.

For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, as amended, to remain available until June 30, 1968, unless otherwise specified herein, as follows:

ECONOMIC ASSISTANCE

22 USC 2172.

Technical cooperation and development grants: For expenses authorized by section 212, $180,000,000: *Provided*, That no part of this appropriation shall be used to initiate any project or activity which has not been justified to the Congress: *Provided, however,* That no more than $20,000,000 shall be used for family planning.

American schools and hospitals abroad; For expenses authorized by section 214(c), $11,500,000. 77 Stat. 381. 22 USC 2174.

American schools and hospitals abroad (special foreign currency program): For assistance authorized by section 214(d), $5,986,000 in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States for the following institutions in Israel: $1,000,000 for the Or Hachyim Girl's College of Israel; $1,986,000 for a school in Israel sponsored by the Israel Training Institute for Boys; $1,000,000 for the Bayit Lepletot Home; $1,000,000 for the Ch'san Sofer Chasan Yecheskel Institute; and $1,000,000 for the Jerusalem College for Women. 80 Stat. 798.

Surveys of investment opportunities: For expenses authorized by section 232, $1,250,000. 22 USC 2192.

International organizations and programs: For expenses authorized by section 302(a), $130,000,000: *Provided,* That the President shall seek to assure that no contribution to the United Nations Development Program authorized by the Foreign Assistance Act of 1961, as amended, shall be used for projects for economic or technical assistance to the Government of Cuba, so long as Cuba is governed by the Castro regime; *Provided further,* That no part of this appropriation shall be used to initiate any project, activity, or program which has not been justified to the Congress. 22 USC 2222.

Supporting assistance: For expenses authorized by section 402, $600,000,000. 22 USC 2242.

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Alliance for Progress, technical cooperation and development grants: For expenses authorized by section 252(a), $80,000,000. 76 Stat. 258. 22 USC 2212.

Alliance for Progress, development loans: For expenses authorized by section 252(a), $389,000,000, together with such dollar amounts as are authorized to be made available for assistance under section 253, all such amounts to remain available until expended. 22 USC 2213.

Alliance for Progress, partners of the alliance: For expenses authorized by section 252(b), $330,000.

Development loans: For expenses authorized by section 202(a), $435,000,000, together with such amounts as are authorized to be made available for expenses under section 203, all such amounts to remain available until expended: *Provided,* That this appropriation shall be avialable without regard to the provisions of section 205 of the Foreign Assistance Act of 1961, as amended, and the President, after consideration of the extent of additional participation by other countries, may make available, on such terms and conditions as he determines, not to exceed 10 per centum of this appropriation to the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, or the Asian Development Bank for use 22 USC 2162. 22 USC 2163. 80 Stat. 797. 22 USC 2165.

22 USC 2161.

22 USC 2397.

pursuant to the laws governing United States participation in such institutions, if any, and the governing statutes thereof, and without regard to section 201 or any other requirements of the Foreign Assistance Act of 1961, as amended.

Administrative expenses: For expenses authorized by section 637(a), $55,300,000.

22 USC 1613d.

Administrative and other expenses: For expenses authorized by section 637(b) of the Foreign Assistance Act of 1961, as amended, and by section 305 of the Mutual Defense Assistance Control Act of 1951, as amended, $3,255,000.

MILITARY ASSISTANCE

22 USC 2312.
22 USC 2396.

Restriction on purchases for underdeveloped countries.

Reports to Congress.

81 Stat. 938.

Military assistance: For expenses authorized by section 504(a) of the Foreign Assistance Act of 1961, as amended, including administrative expenses authorized by section 636(g)(1) of such Act, which shall not exceed $21,400,000 for the current fiscal year, and purchase of passenger motor vehicles for replacement only for use outside the United States, $400,000,000: *Provided*, That none of the funds contained in this paragraph shall be available for the purchase of new automotive vehicles outside of the United States: *Provided further*, That none of the funds contained in this paragraph and none of the funds contained in the military assistance credit sales revolving fund shall be used to finance directly or indirectly the purchase or acquisition of sophisticated weapons systems, such as missile systems and jet aircraft for military purposes, by or for any underdeveloped country other than Greece, Turkey, Iran, Israel, the Republic of China, the Philippines, and Korea unless the President determines that such purchase or acquisition of weapons systems are vital to the national security of the United States and reports within 30 days each such determination to the Congress: *Provided further*, That the military assistance program for any country shall not be increased beyond the amount justified to the Congress, unless the President determines that an increase in such program is essential to the national interest of the United States and reports each such determination to the House of Representatives and the Senate within thirty days after each such determination.

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TITLE II—FOREIGN ASSISTANCE (OTHER)

FUNDS APPROPRIATED TO THE PRESIDENT

PEACE CORPS

22 USC 2501 note.

For expenses necessary to enable the President to carry out the provisions of the Peace Corps Act (75 Stat. 612), as amended, including purchase of not to exceed five passenger motor vehicles for use outside the United States, $107,500,000, of which not to exceed $28,400,000 shall be available for administrative expenses.

15

DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS

Ryukyu Islands, Army

ADMINISTRATION

For expenses, not otherwise provided for, necessary to meet the responsibilities and obligations of the United States in connection with the government of the Ryukyu Islands, as authorized by the Act of July 12, 1960 (74 Stat. 461), as amended (76 Stat. 742); services as authorized by 5 U.S.C. 3109, of individuals not to exceed ten in number; not to exceed $4,000 for contingencies for the High Commissioner, to be expended in his discretion; hire of passenger motor vehicles and aircraft; purchase of four passenger motor vehicles, for replacement only; and construction, repair, and maintenance of buildings, utilities, facilities, and appurtenances; $14,956,000, of which not to exceed $2,956,000 shall be available for administrative and information expenses: *Provided*, That expenditures from this appropriation may be made outside continental United States when necessary to carry out its purposes, without regard to sections 355 and 3648, Revised Statutes, as amended, section 4774(d) of title 10, United States Code, civil service or classification laws, or provisions of law prohibiting payment of any person not a citizen of the United States: *Provided further*, That funds appropriated hereunder may be used, insofar as practicable, and under such rules and regulations as may be prescribed by the Secretary of the Army to pay ocean transportation charges from United States ports, including territorial ports, to ports in the Ryukyus for the movement of supplies donated to, or purchased by, United States voluntary nonprofit relief agencies registered with and recommended by the Advisory Committee on Voluntary Foreign Aid or of relief packages consigned to individuals residing in such areas: *Provided further*, That the President may transfer to any other department or agency any function or functions provided for under this appropriation, and there shall be transferred to any such department or agency, without reimbursement and without regard to the appropriation from which procured, such property as the Director of the Bureau of the Budget shall determine to relate primarily to any function or functions so transferred. *Provided further*, That reimbursement shall be made to the applicable military appropriation for the pay and allowances of any military personnel performing services primarily for the purposes of this appropriation.

80 Stat. 416.

40 USC 255.
31 USC 529.
70A Stat. 269.

Department of Health, Education, and Welfare

ASSISTANCE TO REFUGEES IN THE UNITED STATES

For expenses necessary to carry out the provisions of the Migration and Refugee Assistance Act of 1962 (Public Law 87–510), relating to aid to refugees within the United States, including hire of passenger motor vehicles, and services as

76 Stat. 121.
22 USC 2601 note.
80 Stat. 416.

authorized by section 3109 of title 5, United States Code, $49,000,000: together with $4,500,000 of the unobligated balance of the appropriation under this head for the fiscal year 1967.

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CHAPTER IV. SUMMARY OF THE LEGISLATION

1. BILLS REPORTED FROM THE COMMITTEE ON LABOR AND PUBLIC WELFARE

In 1967 the Committee on Labor and Public Welfare considered many bills wholly or partly concerning education and training. Enactments which, in the earlier form of bills, were reported from that committee include the following:

Public Law 90–31, which broadens the authority of the Public Health Service to make grants for research, training or demonstration projects.

Public Law 90–32, which directs the Secretary of the Interior to convey certain lands to the State of Tennessee for the use of Memphis State University.

Public Law 90–35, the Education Professions Development Act, which amends and extends Title V of the Higher Education Act of 1965.

Public Law 90–42, the Older Americans Act amendments of 1967, which contain several provisions concerning research, demonstration and training.

Public Law 90–82, which amends the college work-study program with respect to institutional matching and permissible hours of work.

Public Law 90–99, the Vocational Rehabilitation Amendments of 1967, which generally involve education and training.

Public Law 90–154, which makes certain technical amendments to the Library Services and Construction Act.

Public Law 90–170, the Mental Retardation Amendments of 1967, which include provisions concerning university-affiliated mental retardation facilities, the training of teachers of handicapped children, et cetera.

Public Law 90–174, the Partnership for Health Amendments of 1967, which variously involve education and training and educational institutions.

Public Law 90–197, which provides for conveyance of certain land to Temple (Texas) Junior College.

Public Law 90–222, the Economic Opportunity Amendments of 1967, which as a whole, are largely concerned with education and training.

Public Law 90–247, the Elementary and Secondary Amendments of 1967, which amend not only the Elementary and Secondary Education Act of 1965, but also, Title V of the Higher Education Act of 1965 and Title XI, the National Defense Education Act of 1958.

2. BILLS REPORTED FROM OTHER COMMITTEES OF THE SENATE

Enactments concerning education and training which, in the earlier form of bills, were reported from Senate committees other than the Committee on Labor and Public Welfare during 1967 included the following:

Public Law 90-21, the Second Supplemental Appropriation Act 1967, which makes a number of appropriations concerning or affecting education and training.

Public Law 90-40, which as a whole is concerned with military training.

Public Law 90-41, which authorizes certain States to use certain lands for educational purposes.

Public Law 90-66, which extends the Housing Act fellowship program.

Public Law 90-67, the National Aeronautics and Space Administration Authorization Act, 1968, which authorizes certain appropriations affecting education and training.

Public Law 90-77, which amended provisions for the education and training of veterans.

Public Law 90-79, which increases the value of property which may be held by the American Academy in Rome.

Public Law 90-81, which requires future authorization for certain Maritime Administration programs, including training at the Merchant Marine Academy and aid to State Marine Schools.

Public Law 90-96, the Department of Defense Appropriation Act, 1968, which contains appropriations usable for educational and training programs.

Public Law 90-103, the Appalachian Regional Development Act, and Public Works and Economic Development Act, which contain several provisions concerning education and training.

Public Law 90-112, the Department of Transportation Appropriation Act, 1968, which provides funds for Coast Guard reserve training, for primary and secondary schooling for Coast Guard personnel stationed outside continental United States, et cetera.

Public Law 90-113, the Department of Agriculture and Related Agencies Appropriation Act, 1968, which makes appropriations for cooperative agricultural extension work and some other educational activities.

Public Law 90-121, the Independent Offices and Housing and Urban Development Appropriation Act, 1968, which includes an appropriation for the National Science Foundation (the primary concern of which is education, and an appropriation for Veterans adjustment benefits (largely education and training).

Public Law 90-126, which increases funds for development of the Ryukyu Islands, including funds for technical education and training.

Public Law 90-129, the Public Broadcasting Act of 1967, which relates almost entirely to educational television and radio.

Public Law 90-132, the Departments of Labor and Health, Education and Welfare Appropriation Act, 1968, which appropriates funds for the manpower development and training activities of the Department of Labor, programs of the Office of Education and of the Vocational Rehabilitation Administration, construction of health educational facilities, training activities of the National Institutes of Health, Howard University, and other educational programs and institutions.

Public Law 90-133, the Department of State, Justice and Commerce, and related agencies appropriation Act, 1968, which includes a number of appropriations usable in whole or in part for educational and training purposes.

Public Law 90-137, the Foreign Assistance Act of 1967, which authorizes appropriations for a number of programs widely involving education and training.

Public Law 90-148, the Air Quality Act of 1967, which contains a number of provisions concerning training and research.

Public Law 90-168, the Reserve Forces Bill of Rights and Vitalization Act, which includes several provisions aimed at improvement of training for the reserve forces.

Public Law 90-171, which facilitates exchanges of land under the Act of March 20, 1922, for public schools.

Public Law 90-175, the Peace Corps Act Amendments of 1967, which authorizes fiscal year 1968 appropriations for the Peace Corps which is largely concerned with education and educational institutions.

Public Law 90-190, which gives additional research and training authority to the Atomic Energy Commission.

Public Law 90-206, the Postal Revenue and Federal Salary Act of 1967, which contains several provisions affecting or concerning education.

Public Law 90-212, which amends the District of Columbia Teachers' Leave Act.

Public Law 90-231, which amends the District of Columbia public-school teachers' retirement act.

Public Law 90-249, the Foreign Assistance and Related Agencies Appropriation Act, 1968, which makes appropriations for certain programs widely involving education and training.

CHAPTER V. PRESIDENTIAL RECOMMENDATIONS AND STATEMENTS CONCERNING EDUCATION AND TRAINING, 1967

Numerous public utterances by President Johnson in 1967 contained references to education or training, or to schools, colleges, teachers, students, scholars, or other terms associated with education or training. A number of his messages to Congress and public addresses related in whole or in part to legislation concerning education or training.

Following are the texts of certain recommendations to Congress and statements relating to education and training expressed by President Johnson and published in the weekly compilation of Presidential Documents, January 9, to December 25, 1967. The purpose of this compilation is to bring together in one place in chronological order his principal recommendations and statements representative of his thinking on this subject. The compilation does not include all of his relevant, published remarks.

In many instances the quotations on the following pages are excerpts from larger messages or statements, which are identified in this document and are available to persons interested in reading the complete texts.

LYNDON B. JOHNSON AUSTRALIAN SCIENCE SCHOLARS

The President's Remarks to the 10 High School Science Students Prior to Their Departure for the University of Sydney. January 5, 1967

Ambassador Waller; Dr. Hornig; Professor Messel; my young friends whom I am delighted to have here in the White House this morning:

This is a highly unusual meeting. Because today a great Australian university, the National Science Foundation, and distinguished officials of this Government join me to honor you 10 American high school students—because you have done your homework well.

That says a great deal about the high value the world puts on academic excellence today.

Just before I visited Australia last fall, Professor Harry Messel wrote me a letter. The great University of Sydney, he said, wanted to include 10 American high school students in its summer science program. These students would receive not only an opportunity to visit Australia—and we know that is a great privilege—but they would hear some of the world's great scholars. They would meet some of the most talented and interesting young people living today. They would receive scholarships which would literally take them around the world in 20 days.

It gave me pleasure to accept that generous offer and I did it quickly. I was grateful that these scholarships would be associated with me. But I also couldn't resist the idea of exposing more Americans to Australia's hospitality.

264

So tomorrow these 10 scholars, chosen from thousands throughout our land, will begin their journey.

I want to say to each of you that you give all of us great cause for pride, because of your application, your dedication, and your achievement.

You represent a great idea: the idea of international educational opportunity.

I have just been discussing that with one of the great, distinguished officials of this Government, Assistant Secretary of State, Mr. Lincoln Gordon. You will be hearing a great deal more about that in the days to come, as a result of the work that we are doing together.

In the next few weeks, through the generosity of the University of Sydney and the Australian people, you will go there to meet these students from other lands. You will be guests in their homes. You will share their experiences. And the journey that you will begin tomorrow will strengthen, I think, the friendship between our countries.

You may feel that it is an honor to receive these medals that mark your achievement today. But I want you to know that we feel honored in your presence. And, like your own parents, I feel a bit uncomfortable when I reflect that you can do the new math when I remember how much difficulty I had with the old math.

I hope all of you have a good trip to Australia. I just wish I were going with you.

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THE STATE OF THE UNION

The President's Message Delivered Before a Joint Session of the Congress. January 10, 1967

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Mr. Speaker, Mr. Vice President, distinguished Members of the Congress:

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The last 3 years bear witness to our determination to make this a better country.

We have struck down legal barriers to equality.

We have improved the education of 7 million deprived children and this year alone we have enabled almost 1 million students to go to college.

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We have launched new training programs to provide job skills for almost one million Americans.

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We have given 1 million young Americans a chance to earn—through the Neighborhood Youth Corps or through Head Start—a chance to learn.

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This is true with other programs that are making and breaking new ground. Some do not yet have the capacity to absorb well or wisely all the money that could be put into them. Administrative skills and trained manpower are just as vital to their success as dollars. And I believe those skills will come. But it will take time and patience and hard work. Success cannot be forced at a single stroke. So we must continue to strengthen the administration of every program if that success is to come—as we know it must.

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Let us create new opportunities for our children and our young Americans who need special help.

We should strengthen the Head Start Program, begin it for children 3 years old, and maintain its educational momentum by following through in the early years.

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We should develop educational television into a vital public resource to enrich our homes, educate our families, and to provide assistance in our classrooms. We should insist that the public interest be fully served through the public's airwaves.

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APPALACHIAN REGIONAL DEVELOPMENT

The President's Letter to the President of the Senate and the Speaker Recommending Extension of the Program. January 20, 1967

Dear Mr. President: (*Dear Mr. Speaker:*)

I recommend that the Congress extend the Appalachian Regional Development Act of 1965.

* * * * * * *

Because of the work done by the Commission and cooperating Federal, state and local agencies

—51 hospitals have been completed or are under construction

—52 vocational education schools are being built

—work is underway on 790 miles of the development highway system

—new libraries, airports, college classrooms and water resource projects are being pursued to completion

—thousands of workers have been trained, hired and added to the payrolls

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A PROGRAM FOR OLDER AMERICANS

The President's Message to the Congress Proposing Increases in Social Security Payments and Extending Other Benefits. January 23, 1967

To the Congress of the United States:

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I recommend that:

—the Congress enact a law prohibiting arbitrary and unjust discrimination in employment because of a person's age.

—the law cover workers 45 to 65 years old.

—the law provide for conciliation and, if necessary, enforcement through cease and desist orders, with court review.

—the law provide an exception for special situations where age is a reasonable occupational qualification, where an employee is discharged for good cause; or where the employee is separated under a regular retirement system.

—educational and research programs on age discrimination be strengthened.

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To carry forward this partnership, I recommend that:

—the Older Americans Act be extended and its funding levels be increased.

—appropriations under the Neighborhood Facilities Program be increased to construct multipurpose centers to serve senior citizens with a wide range of educational, recreational and health services, and to provide information about housing and employment opportunities.

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THE BUDGET MESSAGE

The President's Message to the Congress Transmitting the Budget for Fiscal Year 1968. January 24, 1967

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Based on a thorough review of our economic assistance objectives and programs, I will recommend new legislation and specific actions to:

Require more effective self-help measures by recipient countries as a condition for U.S. aid;

Increase the amount of assistance for the key sectors of agriculture, health, and education;

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EDUCATION.—Our Nation's greatness depends upon the full development of the talents and abilities of its citizens.

The 89th Congress wrote a memorable record in education legislation. The Elementary and Secondary Education Act of 1965 and the Higher Education Act of 1965 marked a significant advance in Federal support to help improve and enlarge educational opportunities at all levels. Our task now is to use this authority in an imaginative, creative, and responsible way.

New obligational authority for education will total $5.2 billion in 1968, $622 million more than in 1967. These funds will be used to:

Assist the disadvantaged by increasing grants to improve elementary and secondary education for about 8½ million less fortunate children from low-income families and by providing new grants for education of handicapped children;

Encourage creative change through an increase of almost 80% in grants for supplementary centers and other special projects designed to introduce better teaching and innovation in our educational programs.

Widen higher educational opportunities by providing more than $1.1 billion in scholarships, loans, and part-time work for students, a 22% increase over 1967; and

Improve teacher training through additional funding and amendments providing for a more flexible use of legislative authority.

I will propose legislation to:

Extend and enlarge the Teacher Corps;

Initiate experimental projects to improve vocational education, particularly for the disadvantaged and those not planning to attend college;

Extend and expand Federal support for educational television; and

Strengthen education program planning and evaluation by State governments and localities.

THE DISTRICT OF COLUMBIA BUDGET MESSAGE

The President's Message to the Congress Transmitting the Budget for the District of Columbia, Fiscal Year 1968. January 25, 1967

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EDUCATION

Operating funds for the public school system in 1968 require $101 million, an increase of $14.5 million over 1967.

The urgent need further to improve District schools has been emphasized not only in a recent congressional investigation and report, but also in the report of the Commission on Crime in the District of Columbia. The deficiencies are substantial, and they are serious. Eduction for every child to the limits of his capacity is basic to all other efforts. To achieve this goal in the District, the quality of education must be improved, the needs of children from deprived and inadequate family backgrounds must be given more attention, and the physical plant must be expanded and modernized. The budget reflects the urgent need to accomplish each of these objectives as quickly as possible.

IMPROVING THE QUALITY OF EDUCATION

With the funds provided in the budget the quality of education will be improved by—

More support, through additional teachers, for elementary school instruction in such fields as science, mathematics, music, art, physical education, and foreign languages.

Added professional help for schools of all levels in such areas as reading, speech, curriculum, library science, guidance, history and business education.

An internship program to assist teachers in their first year of teaching through in-service training.

Attaining Board of Education standards for librarians and counselors: a librarian for each school where facilities are available, and a ratio of counselors to pupils of 1:750 in elementary schools and 1:400 in the secondary schools.

Beginning a reduction in class sizes in schools where space is available. Regular academic pupil-teacher ratios in junior and senior high schools will be reduced from 25:1 to 21:1. Because of space limitations, the goal of a ratio of 24:1 in elementary schools must await the construction program.

Additional assistant principals in elementary schools to improve school administration and instructional supervision.

MEETING THE NEEDS OF THE DISADVANTAGED

The funds provided in the budget will also help to meet the needs of children whose background and family resources are inadequate. Nearly half the pupils in the District's schools come from areas where the average family income is under $5,000. Funds from Federal programs have helped to enrich the school experience of these children, but more is necessary. The budget will—

Provide teachers who can give individualized instruction to pupils who can be helped by more teacher attention provided through team teaching, ungraded classrooms, smaller class arrangements, seminars, and tutorial assistance in after-school study.

Initiate a pre-kindergarten program for 3,000 children, to convert the Head Start approach into a full-year program.

Provide help to approximately 60,000 students in remedial reading.

Double the present number of pupil personnel teams to provide help both to pupils and to teaching personnel in determining the abilities and emotional stability of children.

Expand the school lunch program.

Provide matching funds to qualify for teachers from the National Teacher Corps.

CONSTRUCTING AND EQUIPPING SCHOOLS

Funds in the amount of $63.3 million are provided in the budget for various phases of school construction. This is a substantial increase over past levels, but it is a more current assessment of the need. There is no economy in delay. On the contrary, postponement of essential facilities condemns many students to educational handicaps that will endure throughout their lives. The budget is intended to reflect urgency.

It will provide funds for—

Construction of 17 projects for which site and planning funds have already been appropriated—including 2 new elementary schools, 2 elementary school replacements, additions to 12 other schools, and an addition to the school warehouse.

Equipment for elementary and junior high construction projects already funded.

Planning and construction funds for three elementary and one senior high school additions.

Site and planning funds for 28 school projects.

Seventy-five portable pre-kindergarten classrooms for the most seriously deprived areas of the District.

An addition to Sharpe Health School, and a new school for the severely mentally retarded.

Funds are provided for the construction of a new Shaw Junior High School, for which the Congress provided special legislation in 1966. Funds to enable the Board of Vocational Education and the Board of Higher Education to begin planning for the two new institutions authorized by Public Law 89–791 can be supplied from existing resources in 1967. Provision is made in the budget for financing the two Boards in 1968.

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THE ECONOMIC REPORT FOR 1967

The President's Annual Message to the Congress. January 26, 1967

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TRAINING AND DEVELOPMENT

The coexistence of job vacancies and idle workers unable to fill them represents a bitter human tragedy and an inexcusable economic waste. One of society's most creative acts is the training of the unemployed, the underemployed, or the formerly unemployable to fill those vacancies.

A dynamic economy demands new and changing skills. By enabling workers to acquire those skills, we open opportunities for individual development and self-fulfillment. And we make possible higher production without inflationary pressures.

I shall ask the Congress for funds to support a new and special effort to train and find jobs for the disadvantaged who live in urban ghettos.

I shall also propose legislation to improve the effectiveness of the Federal-State employment service.

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EDUCATION AND HEALTH

Individually and collectively, Americans have insatiable appetites for more education and better health. Education and health contribute both to individual well-being and to the Nation's productivity. But far too many of our urban and rural poor are denied adequate access to either. The efficiency of our methods of education and of providing medical care can and should be strengthened.

History will record these years as the time when this Nation awoke to its needs—and its limitations—in education and health. The Elementary and Secondary Education Act, Head Start, the Teacher Corps, Medicare, Medicaid, and the Partnership in Health will be landmarks in our social and economic development.

I shall propose

—an expanded Head Start program; a Follow-Through program in the early years of school; and the opening of other new educational opportunities for children;

—both legislative and administrative changes to accelerate research and development on more efficient and effective ways of providing health resources;

—an expanded child health program, including early diagnosis and treatment, a pilot program of dental care, and the training of additional health personnel to provide services to children.

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AMERICA'S SERVICEMEN AND VETERANS

The President's Message to the Congress. January 31, 1967

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EDUCATIONAL OPPORTUNITIES FOR THE VETERAN

Since last June, when the new G.I. Bill went into effect, more than 500,000 veterans have applied for education and training benefits. Thousands more are signing up each week. Today, over one quarter of a million returning servicemen and women are preparing for the future and learning new skills in universities, colleges, and technical and vocational schools across the Nation. By the end of Fiscal 1968, this number will increase to more than 500,000.

While the new G.I. Bill is less than a year old—and an outstanding success—we can still work to extend and improve it.

Even today, some 20 per cent of those separated from the Armed Forces each year—about 100,000 young men—have not completed high school. Many of these young veterans have the ability and desire to better themselves. All too often, they lack the financial means to complete their high school education and enter college.

As a nation, we cannot afford to neglect this valuable manpower resource.

The present G.I. Bill makes *no special provision* for a returning serviceman who needs to finish high school or take a "refresher course" before he can enter college. In fact, it works in just the opposite way. For each month the veteran pursues a high school education under the G.I. Bill, he loses a month of eligibility for college benefits under the law.

This situation must be changed. *I recommend legislation to provide full G.I. Bill payments to educationally disadvantaged veterans so that they can complete high school without losing their eligibility for follow-on college benefits.*

We are taking a further step. In recent months, thousands of men who have been rejected for military service because of insufficient educational achievement are being accepted. 40,000 men will enter the service in the first year of this new program, and 100,000 each year thereafter. Its purpose is to provide the intensive training needed to make these young men good soldiers. Upon the completion of their military service, they will be better educated and equipped to play productive and useful roles as citizens.

I am directing the Secretary of Defense to find new ways to improve this program.

The time has also come to increase the educational assistance allowance under the G.I. Bill. A single veteran pursuing a full-time course receives $100 a month to help him finance his education. This amount is less than the $130 a month paid to the child of a deceased or disabled veteran who may be taking the same courses at the same school.

The veteran going to school is usually older and may bear heavier responsibilities. *I recommend an increase in the monthly educational assistance allowance under the G.I. Bill from $100 monthly to $130 for a veteran.*

In accord with the present scale of benefits, a married veteran with children receives $150 monthly under the G.I. Bill, regardless of the number of children he has. To help veterans with families who wish to continue a full-time educational program, *I recommend that the monthly payment be increased by $10 a month for the second child and $10 a month for each additional child.*

These increases in the educational assistance allowance will benefit the more than 250,000 veterans now enrolled in schools under the G.I. Bill.

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CRIME IN AMERICA

The President's Message to the Congress Recommending Crime Control and Law Enforcement Legislation and Measures for the Control of Narcotics, Firearms, and Wiretapping. February 6, 1967

To the Congress of the United States:

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2. *Enforcement Training*

I recommend that the Congress provide funds to enable the Federal Bureau of Narcotics and the Food and Drug Administration to enlarge their existing enforcement training programs, so that they can reach a far greater number of local and state enforcement officers.

Under these programs, enforcement officers and experts of the Federal government are sent to local communities with severe drug addiction problems, to train local enforcement personnel in the most modern techniques of detecting and apprehending drug pushers and addicts and the most advanced methods of treating drug addiction.

3. *Public Information and Education*

It is essential that the public be better informed about narcotics and dangerous drugs: what they are, what their effects are on the body and mind, how widely they are misused, the laws which govern them, and the medical treatment that offers the best chance of cure. This information should be made available to local governments, school systems, parents, young people, college campuses and medical groups.

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AMERICA'S CHILDREN AND YOUTH

The President's Message to the Congress Recommending a 12-Point Program for Young People. February 8, 1967

To the Congress of the United States:

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In the past three years, I have recommended and you in the Congress have enacted legislation that has done more for our young people than in any other period in history:

- —Head Start and other pre-school programs are providing learning and health care to more than two million children.
- —The Elementary and Secondary Education Act is improving the education of more than seven million poor children.

- —Our Higher Education Programs support more than one million students in college—students who might otherwise not have been able to go.
- —The Neighborhood Youth Corps, the Job Corps and an expanded Manpower Development and Training Program are bringing skills to almost one million young Americans who only a few years ago would have been condemned to the ranks of the unemployed.

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Recent studies confirm what we have long suspected. In education, in health, in all of human development, the early years are the critical years. Ignorance, ill health, personality disorder—these are disabilities often contracted in childhood: afflictions which linger to cripple the man and damage the next generation.

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STRENGTHENING HEAD START

Head Start—a preschool program for poor children—has passed its first trials with flying colors. Tested in practice the past two years, it has proven worthy of its promise.

Through this program, hope has entered the lives of hundreds of thousands of children and their parents who need it the most.

The child whose only horizons were the crowded rooms of a tenement discovered new worlds of curiosity, of companionship, of creative effort. Volunteer workers gave thousands of hours to help launch poor children on the path toward self-discovery, stimulating them to enjoy books for the first time, watching them sense the excitement of learning.

Today Head Start reaches into three out of every four counties where poverty is heavily concentrated and into every one of the fifty States.

It is bringing more than education to children. Over half the youngsters are receiving needed dental and medical treatment. Hearing defects, poor vision, anemia, and damaged hearts are being discovered and treated.

In short, for poor children and their parents, Head Start has replaced the conviction of failure with the hope of success.

The achievements of Head Start must not be allowed to fade. For we have learned another truth which should have been self-evident—that poverty's handicaps cannot be easily erased or ignored when the door of first grade opens to the Head Start child.

Head Start occupies only part of a child's day and ends all too soon. He often returns home to conditions which breed despair. If these forces are not to engulf the child and wipe out the benefits of Head Start, more is required. Follow-Through is essential.

To fulfill the rights of America's children to equal educational opportunity the benefits of Head Start must be carried through to the early grades.

We must make special efforts to overcome the handicap of poverty by more individual attention, by creative courses, by more teachers trained in child development. This will not be easy. It will require careful planning and the full support of our communities, our schools and our teachers.

I am requesting appropriations to launch a "Follow-Through" program during the first school grades for children in areas of acute poverty.

The present achievements of Head Start serve as a measure of the distance we must still go:

—Three out of four Head Start children participate only in a summer program. The summer months are far too brief to close the gap separating the disadvantaged child from his more fortunate classmate.

—Only a small number of three-year-olds are now being reached. The impact of Head Start will be far more beneficial if it is extended to the earlier years.

—Head Start has dramatically exposed the nutritional needs of poverty's children. More than 1.5 million preschoolers are not getting the nourishing food vital to strong and healthy bodies.

To build on the experience already gained through Head Start:

I am requesting funds from the Congress and I am directing the Director of the Office of Economic Opportunity to:

1. *Strengthen the full year Head Start program.*
2. *Enlarge the number of three-year-olds who participate in Head Start.*
3. *Explore, through pilot programs, the effectiveness of this program on even younger children.*

—I am recommending legislation to authorize a pilot program to provide school lunch benefits to needy preschoolers through Head Start and similar programs.

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MENTAL RETARDATION

Each year more than 125,000 infants are born mentally retarded.

This dread disability strikes rich families and poor. The tragedy of mental retardation affects the child, the parents and the entire community.

In 1958, the late Congressman from Rhode Island, John E. Fogarty, introduced legislation which launched our attack on mental retardation.

For the past 3 years we have intensified that attack on all fronts—in prevention, treatment, rehabilitation, employment, recreation services.

But today, America still lacks trained workers and community facilities to carry on the fight.

I recommend legislation to:

—Provide, for the first time, Federal support to assist the staffing of community mental retardation centers.

—Extend Federal support for the construction of university and community centers for the mentally retarded.

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THE JUVENILE DELINQUENCY PREVENTION ACT OF 1967

Youth can mean high spirits, great ambitions, wide intellectual interests, constructive group activities and the exciting tests of physical and mental power.

But too often it means failure in school, drop-outs, the emptiness of unplanned days, joblessness, flights from a broken home, and trouble with the police.

The rapid urbanization of our nation and the sharply growing numbers of young people can mean new vigor and opportunity for our society—or new crime problems and more wasted lives.

This Nation has already committed itself to enrich the lives of our young people and to free the disadvantaged from the waste and boredom that would otherwise characterize their lives:

—The Elementary and Secondary Education Act of 1965 and the Higher Education Act of 1965 are greatly expanding educational opportunities.

—The Upward Bound Program is preparing disadvantated boys and girls for entry into college.

—Work-study programs, grants, loans and scholarships are helping to provide an education for young people unable to afford it.

—The Manpower Training and Development Act, the Job Corps and the Neighborhood Youth Corps are providing needed job skills.

Despite these achievements, much remains to be done to fulfill our commitment to young Americans. In later Messages, I will propose additional measures that will assist young Americans—in education, in health, and in special employment programs.

But today, I propose to deal with the young American who is delinquent or a potential delinquent. Too many schools and agencies close their doors and minds to a young person with serious behavioral problems, and then pass him on to sterner but frequently less effective authorities. Most youth who commit delinquent acts ultimately grow into responsible adults. But if a youth behaves badly enough or is unlucky enough to enter the courts and correctional institutions he is more likely to continue in criminal activy as an adult.

The past five years of experience under the Juvenile Delinquency Act and the report of the National Crime Commission have shown the need for new approaches for dealing with delinquent and potentially delinquent youth:

—Special community-based diagnostic and treatment services for youth in trouble.

—The strengthening of ties between the community and the correction and probation system.

—The construction of modern correctional facilities employing the most advanced methods of rehabilitation.

We must pursue a course designed not merely to reduce the number of delinquents. We must increase the chances for such young people to lead productive lives.

For the delinquent and potentially delinquent youth, we must offer a New Start. We must insure that the special resources and skills essential for their treatment and rehabilitation are available. Because many of these young men and women live in broken families, burdened with financial and psychological problems a successful rehabilitation program must include family counseling, vocational guidance, education and health services. It must strengthen the family and the schools. It must offer courts an alternative to placing young delinquents in penal institutions.

I recommend the Juvenile Delinquency Prevention Act of 1967.

This Act would be administered by the Secretary of Health, Education, and Welfare. It would provide:

—*90% Federal matching grants to assist states and local communities to develop plans to improve their juvenile courts and correction systems.*

—*50% Federal matching grants for the construction of short-term detention and treatment facilities for youthful offenders in or near their communities.*

—*Flexible Federal matching grants to assist local communities to operate special diagnostic and treatment programs for juvenile delinquents and potential delinquents.*

—*Federal support for research and experimental projects in juvenile delinquency.*

The problems of troubled youth do not yield to easy solution. They must be pursued on a broad front. Thus, states and communities must be encouraged to develop comprehensive strategies for coping with these problems.

The facilities they build should be modern and innovative, like the "half-way" houses already proven successful in practice. These facilities should provide a wide range of community-based treatment and rehabilitation services for youthful offenders.

New methods of rehabilitation—establishing new ties between the correctional institution, the job market, and the supporting services a delinquent youth needs when he returns to the community—should be tested.

Local agencies, public and private, should be assisted in providing special diagnostic and treatment services for youth with serious behavioral problems. Other Federal programs for medical care, education, and manpower training should be supplemented to provide the intensive services needed to assist delinquent and potentially delinquent youth to become productive citizens. These efforts must first be concentrated in poor neighborhoods where the risk of delinquency is highest.

These steps must be taken now. But at the same time we must continue and expand our research effort. We must learn why so many young people get into trouble and how best to help them avoid it. To do this, we will look to universities and individuals, state and local agencies, and other institutions capable of adding to our knowledge and improving our methods and practices in this vital area.

SUMMER PROGRAMS FOR YOUNG AMERICANS

Last year, summer took on a new and brighter meaning for millions of needy young citizens:

—Head Start served 570,000 preschoolers.

—The Elementary and Secondary Education Act provided funds to bring remedial courses and day camps to two and a half million children.

—Upward Bound enabled 25,000 high school students to live on college campuses and gain new learning experiences.

—The Youth Opportunity Campaign found more than a million jobs for 16-to-21-year olds.

—The Neighborhood Youth Corps offered summer work to 210,000 young people.

—Community Action and other OEO programs, such as Operation Champ, offered recreation to nearly one million children.

This summer we can do more.

We can enable additional schools and playgrounds to remain open when vacation comes.

We can, with the help of public-spirited local organizations, bring fresh air and cool streams to the slum child who has known only a sweltering tenement and who must sleep on a crowded fire escape to get relief from the heat.

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Foreign Aid

The President's Message to the Congress Recommending on Updating of Our Approach to Our Foreign Assistance Programs. February 9, 1967

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4. *Agriculture, Health and Education*

The fundamentals of a decent life are sufficient food, freedom from disease, and an opportunity to absorb as much knowledge as individual capacities permit.

These are the first goals of all societies. They must be the first objects of our aid.

I propose that the Act establish agriculture, health and education as our primary concerns and that investment in these areas be substantially expanded.

I propose that our investment in:

—agriculture rise from $504 million last year to $668 million in 1668.

—education rise from $166 million to $228 million.

—health rise from $192 million to $202 million.

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National Endowment for the Arts

The President's Message to the Congress Transmitting the First Annual Report. February 15, 1967

To the Congress of the United States:

I am pleased to transmit the First Annual Report of the National Endowment for the Arts.

During its first year, the Endowment sponsored a great variety of projects to assist the arts in assuming their deserved place in American life.

It created new opportunities for novelists, poets, painters, sculptors, composers, and students in the arts.

It assisted fifty States in developing cultural resources, programs and facilities. Thirty-three State agencies for the arts have been established. New methods of bringing the arts to rural communities have been explored.

Plans have also been made for programs which will permit

—greater assistance to a wide variety of artistic endeavor;

—increased artistic exchanges between Latin America and the United States, particularly in the field of creative writing;

—nationwide tours of the American Ballet Theatre and other artistic groups which will foster greater appreciation of the arts;

—the development of educational programs to heighten understanding of the arts among disadvantaged children.

Much of the early success of the Endowment can be traced to bipartisan support for its authorizing legislation, and to the wisdom of the Congress in requiring State and private participation in its programs.

We cannot expect massive Federal support to create great art, any more than massive defense programs can be expected to create individual courage. On signing the Arts and Humanities Bill in 1965, I reminded its supporters that "to produce true and lasting results, our States and municipalities, our schools and great private foundations, must join forces with us. It is in the neighborhoods of each community that a nation's art is born. In countless American towns there live thousands of obscure and unknown talents. What this bill does is to bring active support to this great national asset, to make fresher the winds of art in this great land of ours."

What the Arts Endowment has sought to do, in its first year, is to improve the climate in which creative talent works, and to extend and inform its audience.

This report is evidence that it has begun to achieve that goal. Those who believe that the quality and appreciation of art is one test of a nation's maturity and greatness will take heart from this report. It is with pleasure that I commend it to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE,

February 15, 1967

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NATIONAL ENDOWMENT FOR THE HUMANITIES

The President's Message to the Congress Transmitting the First Annual Report. February 15, 1967

To the Congress of the United States:

I am pleased to transmit the First Annual Report of the National Endowment for the Humanities. This report, together with the annual report of the National Endowment for the Arts, are truly significant documents. They record a pioneering Federal effort to enrich the cultural and human quality of American life.

The National Endowment for the Humanities was established to support exploration into the nature of man and his culture and to deepen understanding of the goals of human activity. The first year's activities have been devoted to developing plans to strengthen scholarship and teaching in the humanities and to foster greater public appreciation and understanding of the humanities.

These plans provide the basis for programs which will

—increase the number of outstanding scholars in the humanities through annual fellowship awards to some 350 individuals—both promising and established scholars

—heighten public understanding of the humanities through improvements in education in the school, in the home, and in the community

—support research in specific fields to expand the range of our knowledge

—enable American scholars to make a greater contribution to the exchange of knowledge essential to international understanding.

More than 100 outstanding educators and scholars have advised the Endowment in the development of these programs. The views of these and other great humanists will be sought as plans for subsequent years are developed.

I am satisfied that the National Endowment for the Humanities has established a firm foundation for extending the boundaries of our understanding. It is with great satisfaction that I now submit to you this record of its achievement.

LYNDON B. JOHNSON.

THE WHITE HOUSE,
February 15, 1967.

EQUAL JUSTICE

The President's Message to the Congress Setting Forth a Seven-Point Civil Rights Program. February 15, 1967

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Schools

In the 1963–1964 school year, ten years after the landmark *Brown* decision, one percent of the Negro students in the 11 Southern states were in schools also attended by white students.

Then came the 1964 Civil Rights Act and its prohibition against the use of Federal funds to support racial bias.

In September 1966, 12.5 percent of the Negro students in those same states were enrolled in desegregated schools. We expect this figure to increase significantly next fall. We will proceed with the task of securing the rights of all our children.

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Education

Head Start has given deprived children a chance to learn in later years—instead of being merely exposed to school. Through this and other preschool programs, two million children have been offered better education and health care.

More than seven million children in seventy percent of all school districts in the United States have participated in programs under Title I of the 1965 Education Act. These programs have a single aim: to improve the education of disadvantaged children. The better libraries, larger professional staffs, advanced instructional equipment and other services they provide are investments in the future of children who need them most.

In my Message on America's Children and Youth, I asked the Congress to provide an additional $135 million to strengthen Head Start. With these funds, we will launch a Head Start Follow-Through Program in the early grades of elementary school to maintain the momentum the child has gained and we will extend the Head Start Program downward to cover more three-year-olds.

Extraordinary help at the start of life is necessary for all disadvantaged children. It is particularly necessary for the Negro child reared in poverty and encumbered by generations of deprivation.

Jobs and Training

Thousands of job opportunities for the young have been created by the Neighborhood Youth Corps and the Job Corps. The first, active in both urban and rural areas, has enabled many young people to earn enough to remain in school, and provided employment and remedial education for dropouts.

The Job Corps—also meant to help those between 16 and 21—has offered other thousands both a change of environment and the opportunity to acquire education and job training.

The Manpower Development and Training Act gives men without jobs or skills the chance to acquire both, by combining government planning and resources with private industry. The Work Experience Program offers welfare recipients a means of obtaining the experience they need for gainful employment.

Today's strong economy, which last year put almost three million more Americans on the payrolls, is also of tremendous benefit to needy persons in search of dependable employment. But the long term, and as demand for better qualified workers grows, training and remedial education will be of even greater importance to the disadvantaged. This is particularly true for those who leave the farm and move to urban areas in search of employment, without the skills an urban society requires.

During the last three years, our training programs have provided the means of self-sufficiency to almost a million men and women. The value of these programs to the Negro American is especially great.

The unemployment rate for Negroes is more than double that for whites. About 650,000 Americans, more than 20 percent of all unemployed, are non-white. About 213,000 of these are between 14 and 19 years of age. Job training is essential to enable them to get off the welfare rolls and to go on the tax rolls.

Our economy is also strengthened by these programs. If Negroes today had the same skills as other Americans, and if they were free from discrimination in employment, our Gross National Product could become $30 billion higher.

I will shortly submit recommendations to strengthen and expand these training programs. I am asking the Congress for an additional $135 million in appropriations for the Office of Economic Opportunity for a special program to open the doors of opportunity and meaningful employment to our most disadvantaged citizens.

I will call for the active assistance of private industry and organized labor to provide skills and jobs to those now confined to the welfare rolls and the slums.

VOCATIONAL AND TECHNICAL EDUCATION

Statement by the President on the 50th Anniversary of the Signing of the Smith-Hughes Vocational Education Act. February 23, 1967

Fifty years ago today—February 23, 1917—President Woodrow Wilson signed into law the Smith-Hughes Vocational Education Act—an act which has provided a firm foundation for significant developments in public vocational and technical education in the United States.

One of the most important accomplishments of the Smith-Hughes Act was the establishment of cooperative activities between the Federal Government and the States. Financial support is provided to our country's most worthwhile endeavor, the education and development of its youth.

Congress has passed a number of other acts to provide for the expansion and further development of vocational and technical education. The Vocational Education Act of 1963 is helping to make possible an effective nationwide system of vocational and technical education programs. Over the 50-year period, approximately $1.7 billion has been made available to the States under Federal vocational education laws.

Our goal must be to develop high quality programs of vocational and technical education related to the changing needs of the economy and readily accessible to all youths and adults.

EDUCATION AND HEALTH IN AMERICA

The President's Message to the Congress Outlining His Recommendations. February 28, 1967

To the Congress of the United States:

In Edmonds, Washington, three new evening classes today are helping 150 high school dropouts finish school and gain new job skills.

In Detroit, a month ago, 52,000 children were immunized against measles, during a campaign assisted by Federal funds.

In 25 states, Federal funds are helping improve medical care for 6.4 million citizens who get public assistance.

Over 8 million poor children are now getting a better education because of funds provided under Title I of the Elementary and Secondary Education Act. Nineteen million older citizens enjoy the protection of Medicare.

Three years ago, not one of these programs existed.

Today, they are flourishing—because a concerned people and the creative 89th Congress acted. They are the result of twenty-four new health laws and eighteen new education laws.

But even the best new programs are not enough.

Today, we face major challenges of organization and evaluation. If our new projects are to be effective, we must have the people to run them, and the facilities. to support them. We must encourage states and localities to plan more effectively and comprehensively for their growing needs and to measure their progress towards meeting those needs.

Above all, each community, each state, must generate a spirit of creative change: a willingness to experiment.

In this, my fourth message to Congress on Health and Education, I do not recommend more of the same—but more that is better: to solve old problems, to create new institutions, to fulfill the potential of each individual in our land.

Nothing is more fundamental to all we seek than our programs in health and education:

Education—because it not only overcomes ignorance, but arms the citizen against the other evils which afflict him.

Health—because disease is the cruelest enemy of individual promise and because medical progress makes less and less tolerable that illness still should blight so many lives.

I. EDUCATION

I believe that future historians, when they point to the extraordinary changes which have marked the 1960's, will identify a major movement forward in American education.

This movement, spurred by the laws of the last three years, seeks to provide equality of educational opportunity to all Americans—to give every child education of the highest quality, no matter how poor his family, how great his handicap, what color his skin, or where he lives.

We cannot yet fully measure the results of this great movement in American education. Our progress can be traced partially by listing some of the extraordinary bills I have signed into law:

—The Higher Education Act of 1965.
—The Elementary and Secondary Education Act of 1965.
—The Higher Education Facilities Act of 1963.
—The Vocational Education Act of 1963.

The scale of our efforts can be partially measured by the fact that today appropriations for the Office of Education are nearly seven times greater than four years ago. Today we can point to at least one million college students who might not be in college except for government loans, grants and work-study programs, and to more than 17,500 school districts helping disadvantaged children under the Elementary and Secondary Education Act.

This breakthrough is not the work of Washington alone. The ideas for these programs come from educational leaders all over the country. Many different communities must supply the energy to make these programs work. Yet they are national programs, shaped by national needs. Congress has played a vital role in reviewing these needs and setting these priorities.

The new Federal role in education is, in reality, a new alliance with America's states and local communities. In this alliance, the Federal Government continues to be a junior partner:

—Local school districts will submit, and state governments will approve, the plans for spending more than one billion dollars this year to improve the education of poor children.

—Federal funds for vocational education are administered through state plans controlled by state, not Federal, officials.

—The recommendations of the states have been sought and followed in more than 95 percent of the projects for centers and services which are funded by the U.S. Office of Education.

The education programs I recommend this year have three major aims:

—To strengthen the foundations we have laid in recent years, by revising, improving, and consolidating existing programs.

—To provide special help to those groups in our society with special needs: the poor, the handicapped, victims of discrimination or neglect.

—To build for the future by exploiting the new opportunities presented by science, technology and the world beyond our borders.

The budget proposals I am making for 1968 will carry forward our efforts at a new level. The total Federal dollar expenditures for educational purposes, including health training, which I have proposed for fiscal 1968 will amount to $11 billion—an increase of $1 billion, or 10 percent, over 1967 and $7 billion, or 175 percent, over 1963.

STRENGTHENING EDUCATION PROGRAMS

State and community education leaders have shouldered heavy new burdens as a result of recent increases in Federal programs. If these officials are to develop wise and long-range plans for education, they must have more help.

The Elementary and Secondary Education Act has provided funds to strengthen state departments of education. But additional funds are needed—money to improve community, state, and regional educational planning. Nothing can do more to ensure the effective use of Federal dollars.

I recommend legislation authorizing $15 million to help state and local governments evaluate their education programs and plan for the future.

A Better Education Timetable

One condition which severely hampers educational planning is the Congressional schedule for authorizations and appropriations. When Congress enacts and funds programs near the end of a session, the Nation's schools and colleges must plan their programs without knowing what Federal resources will be available to them to meet their needs. As so many Governors have said, the Federal legislative calendar often proves incompatible with the academic calendar.

I urge that the Congress enact education appropriations early enough to allow the Nation's schools and colleges to plan effectively. I have directed the Secretary of Health, Education, and Welfare to work with the Congress toward this end.

Another way to ease this problem is to seek the earliest practical renewal of authorization for major education measures.

I recommend that Congress this year extend three major education measures now scheduled to expire in June 1968:

—The National Defense Education Act of 1958.

—The Higher Education Act of 1965.

—The National Vocational Student Loan Insurance Act of 1965.

Improving Program Evaluation

Most of our education programs have been operating too short a time to provide conclusive judgments about their effectiveness. But we should be heartened by the evaluations so far.

Recently, the National Advisory Council on the Education of Disadvantaged Children reported:

"The morale of teachers and administrators in schools with many poor children—their will to succeed and their belief in the possibility of succeeding—is perceptibly on the rise in many of the schools visited. More teachers than ever are involved in an active search for paths to success. The paths are not all clearly visible as yet, but decidedly the search has taken on a new vigor."

The council did identify problems and weaknesses in the school districts. Our efforts to identify shortcomings and to assess our progress can never be fully effective until we provide sufficient resources for program evaluation.

I have requested $2.5 million to assure careful analysis of new programs so that we can provide a full accounting to the Congress and the American people of our successes and shortcomings.

The Education Professions Act of 1967

Our work to enrich education finds its focus in a single person: the classroom teacher, who inspires each student to achieve his best.

Next year, more than 170,000 new teachers will be needed to replace uncertified teachers, to fill vacancies and to meet rising student enrollments. Moreover:

—There are severe shortages of English, Mathematics, Science and elementary school teachers.

—More teachers are needed for our colleges and junior colleges.

—Well trained administrators at all levels are critically needed.

—New kinds of school personnel—such as teachers aides—are needed to help in the schools.

—By 1975, the nation's schools will need nearly two million more new teachers.

To help meet this growing demand, the Federal government has sponsored a number of programs to train and improve teachers.

These programs, though they have been effective, have been too fragmented to achieve their full potential and too limited to reach many essential sectors of the teaching profession. Teacher aides and school administrators have not been eligible to participate.

We must develop a broader approach to training for the education professions. At the state and local level, education authorities must have greater flexibility to plan for their educational manpower needs.

I recommend the Education Professions Act of 1967 to:

—Combine and expand many of the scattered statutory authorities for teacher training assistance.

—Provide new authority for the training of school administrators, teacher aides, and other education workers for schools and colleges.

Improving Student Loan Programs

In the Higher Education Act of 1965, Congress authorized a program to support state guarantees for student loans made by banks and other lending institutions. For students of modest means, the Federal Government also subsidizes the interest cost.

The program has become an example of creative cooperation between the Federal Government, the states, private financial institutions and the academic community.

Though it began in a time of tight credit, the program is off to a promising start. This year, it is expected that loans totalling $400 million will be made to nearly 480,000 students. By 1972, outstanding loans are expected to total $6.5 billion.

I have asked all of the government officials concerned with the program—the Secretary of Health, Education, and Welfare, the Secretary of the Treasury, the Director of the Budget, and the Chairman of the Council of Economic Advisors—to review its operations in consultation with state and private organizations concerned.

If administrative changes in the program are necessary, we will make them. If any amendments to the legislation are in order, we will submit appropriate recommendations to the Congress.

SPECIAL PROGRAMS FOR SPECIAL NEEDS

Educating Poor Children

Over the past two years, we have invested more than $2.6 billion in improving educational opportunities for more than ten million poor children. This has been an ambitious venture, for no textbook offers precise methods for dealing with the disadvantaged. It has also been rewarding: we have generated new energy, gained new workers and developed new skills in our effort to help the least fortunate.

Dollars alone cannot do the job—but the job cannot be done without dollars.

So let us continue the programs we have begun under Head Start and the Elementary and Secondary Education Act.

Let us begin new efforts—like the Head Start Follow Through program which can carry forward into the early grades the gains made under Head Start.

The Teacher Corps

Young as it is, the Teacher Corps has become a symbol of new hope for America's poor children and their parents—and for hard pressed school administrators.

More than 1200 interns and veteran teachers have volunteered for demanding assignments in city and rural slums. Teacher Corps volunteers are at work in 275 schools throughout the country: helping children in 20 of our 25 largest cities, in Appalachia, in the Ozarks, in Spanish-speaking communities.

The impact of these specialists goes far beyond their number. For they represent an important idea: that the schools in our Nation's slums deserve a fair share of our Nation's best teachers.

Mayors and school officials across the country cite the competence, the energy, and the devotion which Teacher Corps members are bringing to these tasks.

Perhaps the best measure of the vitality of the Teacher Corps is the demand by school districts for volunteers and the number of young Americans who want to join. Requests from local schools exceed by far the number of volunteers we can now train. Ten times as many young Americans as we can presently accept—among them, some of our brightest college graduates—have applied for Teacher Corps service.

The Teacher Corps, which I recommended and which the 89th Congress established, deserves the strong support of the 90th Congress.

I recommend that the Teacher Corps be expanded to a total of 5,500 volunteers by the school year beginning in September 1968.

I propose amendments to enhance the role of the states in training and assigning Teacher Corps members.

Finally, to finance the next summer's training program, I strongly recommend early action on a supplemental appropriation request of $12.5 million for the Teacher Corps in fiscal year 1967.

Educating the Handicapped

One child in ten in our country is afflicted with a handicap which, if left untreated, severely cripples his chance to become a productive adult.

In my Message on Children and Youth, I proposed measures to bring better health care to these children—the mentally retarded. the crippled, the chronically ill.

We must also give attention to their special educational needs. We must more precisely identify the techniques that will be effective in helping handicapped children to learn.

We need many more teachers who have the training essential to help these children. There are now only 70,000 specially trained teachers of the handicapped—a small fraction of the number the Nation requires. In the next decade, five times that number must be trained and put to work.

I recommend legislation to:

—*Establish regional resource centers to identify the educational needs of handicapped children and help their parents and teachers meet those needs.*

—*Recruit more men and women for careers in educating the handicapped.*

—*Extend the service providing captioned films and other instructional materials for the deaf to all handicapped people.*

Ending Discrimination

Giving every American an equal chance for education requires that we put an end once and for all to racial segregation in our schools.

In the Civil Rights Act of 1964, this Nation committed itself to eliminating segregation. Yet patterns of discrimination are still entrenched in many communities, North and South, East and West.

If equal opportunity is to be more than a slogan in our society, every state and community must be encouraged to face up to this legal and moral responsibility.

I have requested $30 million—nearly a four-fold increase over this year's appropriation—to provide the needed resources under Title IV of the Civil Rights Act to help states and communities face the problems of school desegregation.

Education for the World of Work

Three out of ten students in America drop out before completing high school. Only two out of ten of our Nation's young men and women receive college degrees.

Too few of these young people get the training and guidance they need to find good jobs.

I recommend legislation to aid secondary schools and colleges to develop new programs in vocational education, to make work part of the learning experience and to provide career-counseling for their students.

A number of our colleges have highly successful programs of cooperative education which permits students to vary periods of study with periods of employment. This is an important educational innovation that has demonstrated its effectiveness. It should be applied more widely in our schools and universities.

I recommend an amendment of the College Work-Study Program which will for the first time permit us to support cooperative education projects.

I am also requesting the Director of the Office of Economic Opportunity and the Secretary of Labor to use Neighborhood Youth Corps funds at the high school level for this purpose.

Combating Adult Illiteracy

At least three million adults in America cannot read or write. Another 13 million have less than an eighth grade education. Many of these citizens lack the basic learning to cope with the routine business of daily life.

This is a national tragedy and an economic loss for which each one of us must pay.

The Adult Education Act, enacted last year, is our pledge to help eliminate this needless loss of human talent.

This year, I am requesting $44 million—an increase of nearly fifty percent—for adult basic education programs.

These funds will help new projects, sponsored by both public agencies and non-profit private groups, to train volunteers for work in adult literacy programs and to establish neighborhood education programs reaching beyond the formal classroom.

BUILDING FOR TOMORROW

Public Television

In 1951, the Federal Communications Commission set aside the first 242 television channels for non-commercial broadcasting, declaring:

"The public interest will be clearly served if these stations contribute significantly to the educational process of the Nation."

The first educational television station went on the air in May 1953. Today, there are 178 non-commercial television stations on the air or under construction. Since 1963 the Federal Government has provided $32 million under the Educational Television Facilities Act to help build towers, transmitters and other facilities. These funds have helped stations with an estimated potential audience of close to 150 million citizens.

Yet we have only begun to grasp the great promise of this medium, which, in the words of one critic, has the power to "arouse our dreams, satisfy our hunger for beauty, take us on journeys, enable us to participate in events, present great drama and music, explore the sea and the sky and the winds and the hills."

Non-commercial television can bring its audience the excitement of excellence in every field. I am convinced that a vital and self-sufficient non-commercial television system will not only instruct, but inspire and uplift our people.

Practically all non-commercial stations have serious shortages of the facilities, equipment, money and staff they need to present programs of high quality. There are not enough stations. Interconnections between stations are inadequate and seldom permit the timely scheduling of current programs.

Non-commercial television today is reaching only a fraction of its potential audience—and achieving only a fraction of its potential worth.

Clearly, the time has come to build on the experience of the past fourteen years, the important studies that have been made, and the beginnings we have made.

I recommend that Congress enact the Public Television Act of 1967 to:

—Increase federal funds for television and radio facility construction to $10.5 million in fiscal 1968, more than three times this year's appropriations.

—Create a Corporation for Public Television authorized to provide support to non-commercial television and radio.

—Provide $9 million in fiscal 1968 as initial funding for the Corporation.

Next year, after careful review, I will make further proposals for the Corporation's long-term financing.

Non-commercial television and radio in America, even though supported by federal funds, must be absolutely free from any federal government interference over programming. As I said in the State of the Union Message, "we should insist that the public interest be fully served through the public's airwaves".

The board of directors of the Corporation for public television should include American leaders in education, communications and the creative arts. I recommend that the board be comprised of fifteen members, appointed by the President and confirmed by the Senate.

The Corporation would provide support to establish production centers and to help local stations improve their proficiency. It would be authorized to accept funds from other sources, public and private.

The strength of public television should lie in its diversity. Every region and every community should be challenged to contribute its best.

Other opportunities for the Corporation exist to support vocational training for young people who desire careers in public television, to foster research and development, and to explore new ways to serve the viewing public.

One of the Corporation's first tasks should be to study the practicality and the economic advantages of using communication satellites to establish an educational television and radio network. To assist the Corporation, I am directing the Administrator of the National Aeronautics and Space Administration and the Secretary of Health, Education, and Welfare to conduct experiments on the requirements for such a system, and for instructional television, in cooperation with other interested agencies of the government and the private sector.

Formulation of long-range policies concerning the future of satellite communications requires the most detailed and comprehensive study by the Executive Branch and the Congress. I anticipate that the appropriate committees of Congress will hold hearings to consider these complex issues of public policy. The Executive Branch will carefully study these hearings as we shape our recommendations.

Instructional Television

I recommend legislation to authorize the Secretary of Health, Education, and Welfare to launch a major study of the value and the promise of instructional television which is being used more and more widely in our classrooms, but whose potential has not been fully developed.

Computers in Education

In my 1968 Budget, I propose that the National Science Foundation be given new resources to advance man's knowledge and serve the Nation. Its endeavors will help our scholars better to understand the atmosphere, exploit the ocean's riches, probe the behavior and the nature of man.

The Foundation will also step up its pioneer work to develop new teaching materials for our schools and colleges. The "new math" and the "new science" are only the first fruits of this innovative work.

One educational resource holds exciting promise for America's classrooms: the electronic computer. Computers are already at work in educational institutions, primarily to assist the most advanced research. The computer can serve other educational purposes—if we find ways to employ it effectively and economically and if we develop practical courses to teach students how to use it.

I have directed the National Science Foundation working with the U.S. Office of Education to establish an experimental program for developing the potential of computers in education.

Enriching the Arts and the Humanities

Our progress will not be limited to scientific advances. The National Foundation on the Arts and the Humanities, established in 1965, has already begun to bring new cultural and scholarly spirit to our schools and communities. State arts councils, museums, theaters, and orchestras have received not only new funds but new energy and enthusiasm through the National Endowment for the Arts.

The National Endowment for the Humanities has made grants to support new historical studies of our Nation's heritage, to encourage creative teaching in our colleges, to offer outstanding young scholars opportunities for advancement.

I recommend that Congress appropriate for the National Foundation on the Arts and Humanities $16 million—an increase of nearly one-third.

Higher Education for International Understanding

For many years, America's colleges and universities have prepared men and women for careers involving travel, trade and service abroad. Today, when our world responsibilities are greater than ever before, our domestic institutions of higher learning need more support for their programs of international studies.

The 89th Congress, in its closing days, passed the International Education Act—an historic measure recognizing this Nation's enduring belief that learning must transcend geographic boundaries. Through a program of grants under the Act, America's schools, colleges, and universities can add a world dimension to their students' learning experience.

I urge the Congress to approve promptly my forthcoming request for a supplemental appropriation of $350,000 for the International Education Act, to permit necessary planning for next year's program, as well as an appropriation of $20 million for fiscal 1968.

HOWARD UNIVERSITY

The President's Remarks at Ceremonies Marking the University's 100th Anniversary. March 2, 1967

Dr. Nabrit, members of this distinguished faculty, distinguished alumni, students:

This day is for prayers of thanksgiving. It is a day for remembrance and wonder.

One hundred years ago, out of the embers of a terrible war, this University was born to serve a people who had been liberated from the "peculiar institution" of slavery.

Another Johnson—the 17th President of the United States—signed his name to a law establishing Howard University, in the District of Columbia, as "a university for the education of youth in the liberal arts and sciences." The first four students were white. They were the living witnesses to a faith in or human dignity that has united men and women of both races until this very hour.

But the purpose of those who founded Howard University was not merely to create one more institution of higher learning. It was to fulfill the promise of Abraham Lincoln that had been made 4½ long years before:

"That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State . . . shall be then, thence forward, and forever free."

Emancipation was a proclamation, but it was not a fact.

Howard University was created to help make the promise of the proclamation a fact of life.

I do not need to tell you that the purpose of the founders was not wholly achieved in their time—nor in the century that followed. Howard sent forth into the world trained teachers, doctors, artists, theologians, lawyers, and businessmen—but for millions, the promise of freedom remained unfulfilled. For them, the ordinary fact of life was enslavement—to poverty, to ignorance, to second-class citizenship.

In our time—nearly a century after the war that brought an end to official slavery—we have begun the long-delayed process of liberation. We have struck off most of the bonds of discrimination that bound the Negro to the tragic past. The fundamental rights of citizenship are his: to vote, to use public accommodations, to attend school, to seek a job, to receive hospital care—without discrimination because of color.

These rights had to be secured, not only to give life to Abraham Lincoln's proclamation, not only to render justice to Negro Americans, but because the conscience of humanity demanded that they be secured. They were not handed down from above, as a reward for good behavior. They were a legacy acquired by birth—and finally passed on to their rightful heirs.

Yet even they did not suffice. I came here 20 months ago, on an afternoon in June, to say "Freedom is not enough. You do not wipe away the scars of centuries by saying: Now you are free to go where you want, and do as you desire, and choose the leaders as you please. . . .

"The task is to give 20 million Negroes the same chance as every other American to learn and grow, to work and share in society, to develop their abilities—physical, mental and spiritual, and to pursue their individual happiness."

I have come back to Howard today to renew my commitment to that task, and to remind you and to tell you again so long as I live, in public or private life, I shall never retract or retreat or amend that commitment.

I have seen what can be done when hundreds of thousands of children are given a head start in life;

—when 8 million others begin to receive a better education in elementary and secondary schools;

—when millions of men can find work in a thriving economy;

—when millions of older people have the haunting fear of medical costs lifted from them;

—when young men and women are given the chance to take hold of their lives in Neighborhood Youth Corps and Job Corps programs;

—when those without skills can acquire them;

—when 9 million workers—the forgotten ones at the bottom of the economic ladder, the elevator operators, the charwomen, the waitresses—are assured a decent minimum wage for the first time this year.

I have seen these things happen, and much more. I do not want to and I never expect to turn back.

I know that millions of men and women—Negro and white—are still trapped in poverty, in dark city slums and depressed rural areas. I know that results are slow in coming from the best efforts men can make. for our adversaries—ignorance, discrimination, and the despairing conviction of failure—are old, well-entrenched, and tough.

But despite the shortcomings of what we have done so far, despite the stubbornness of the problems we face, I cannot bring myself today to bewail our fate. The last few years have convinced me that we have the will, the knowledge, and the resources—and the stubbornness, too—to remain dedicated to this task until it is accomplished.

It was less than 10 years ago as a Senator that I struggled through the night to pass the first civil rights bill through the Congress in almost 85 years. It was a frail instrument indeed and we so recognized it—but it did pass. It was only the first. Seven years later as President, I signed into law a measure that had the power to change the conditions of life for Negro Americans. One year after that we opened the voting booths for good.

This is the work of less than 10 years: four civil rights measures striking at the last chains of enslavement after we had waited almost a century. This was the task of every man and woman who worked, prayed, and legislated to bring it about.

Because we have come so far, I know and you know that we have the power to go further; to make the past 10 years only a prologue, and the next 10 years the time when the Negro in America can say at last "I am a free man." I believe it will be so. I shall bend my will to make it so.

It is not hard to feel this way, here at Howard.

This campus has been the home, and is the home today, of men and women who knew their mission in life was greater than service to themselves. Many of them have been my friends. Some of them have been called to the Federal service during my Presidency:

—the great lawyer, Solicitor General Thurgood Marshall;

—three distinguished jurists, Judge Robinson of the Court of Appeals, Judge Bryant and Judge Waddy of the United States District Court;

—Ambassador Patricia Harris;

—Mr. Hobart Taylor, director of the Export-Import Bank;

—Mr. Andrew F. Brimmer, member of the Federal Reserve Board;

—Commissioner John Duncan, of the District of Columbia;

—Mrs. Frankie Freeman, of the United States Civil Rights Commission;

—and Dr. John Hope Franklin, of the Board of Foreign Scholarships.

These sons and daughters of Howard—together with Under Secretary Ralph Bunche of the United Nations, and Senator Ed Brooke of Massachusetts, whom, I am sorry to say, I did not appoint—are a testimony to Howard's maturity far more compelling than the passing of a hundred years.

For they represent the fruition of an ideal: that as men become free themselves, they assume responsibility for the freedom and well-being of others, regardless of race. These men and women are devoting themselves to the affairs of our Nation. They are not devoting themselves to Negro problems alone, but rather to the problems of our entire society.

That is your challenge, you who follow them. For the work that lies ahead is demanding, and involves far too many lives in urgent need of help, to be parceled out by race. Tomorrow's problems, which will be placed squarely in your hands, will not be divided into "Negro problems" and "white problems." There will be only human problems, and more than enough to go around.

I said at the beginning that this day is for prayers of thanksgiving, for remembrance, and wonder.

Our prayers are to the God who has strengthened the will of a grateful people. Out remembrance is of those who created and sustained this great University, and brought here thousands of young men and women from all over the world, and gave them the power to serve their fellow man.

Our wonder—our very great wonder—is for the human spirit, that having endured infinite wrongs, can yet hold to its faith in the dignity of life.

For one hundred years, that spirit has prevailed here at Howard University. May it always prevail.

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UNITED STATES OFFICE OF EDUCATION

The President's Remarks at the Centennial Celebration of the Office. March 2, 1967

Secretary Gardner, Commissioner Howe, ladies and gentlemen:

I have come here today not to call attention to the advancing age of the Office of Education, but rather to celebrate its next 100 years.

It was back in 1867, when another man named Johnson was President, that the Office of Education was set up in two small rooms and its first budget was $13,000. Congress soon decided that this was wasting the taxpayer's money and it voted to cut the Commissioner's pay by 25 percent. He was to get the princely salary of $3,000 per year.

Today your office space, your budget— and your Commissioner's salary—all have grown somewhat.

Your responsibilities have grown, also.

A long time ago, a colonial Governor of Virginia declared, "Thank God there are no free schools in America and I hope we shall not have them."

We have raised our sights since then. We are no longer satisfied simply with free public education. We have declared as our national goal that every child shall have the chance to get as much education as he or she can absorb—no matter how poor they are, no matter what color they are, and no matter where they live.

You who are here today celebrating this 100th birthday must play a very big part in helping us all reach that goal.

Dr. Hornig, my Science Adviser, tells me that if we were using the New Mathematics—the base 9 system—this anniversary should have been held in 1948. I am glad that we didn't because there is so much that we would not have been celebrating then. Besides, I was a candidate for the Senate in that year and I couldn't have been here.

In 1948, we would not be celebrating the education revolution that has transformed America. In 1948, the latest data would have shown that the typical American adult had only a little more than elementary schooling. Today we are fast approaching the time when the typical adult has completed his high school education.

In 1948, we would not be celebrating a nation where college education is already within the reach of most young people who desire it and who seek it.

In 1948, all the colleges and universities in America conferred 317,000 degrees. This year they will grant 722,000 degrees—more than twice as many as they did in 1948. And over one million college students are being helped by the scholarships, loans, and work-study programs of the Office of Education.

So one million students are going to college this year who otherwise could not have gone except for the work that the Office of Education and the United States Government are doing in the higher education field.

In 1948, less than 25 percent of Americans aged 18 and 19 were in school. Today more than 4 out of every 10 that age are still in school or college.

In 1948, we would not be celebrating Federal aid to education—we had just begun the long hard struggle in Congress to meet this great national need.

Two days ago, I sent a message to Congress requesting $4 billion for the Office of Education in the coming fiscal year. This is 122 times as much as we asked for in 1948. It is nearly twice the entire Federal budget in 1948 for all its social welfare and health, housing and community facilities, labor and education.

Education has become big business in America. This year the schools and colleges of our country will operate at a cost of $50 billion—about 50 percent more than the entire Federal budget in 1948.

According to the New Mathematics—the base 11 system—the next important birthday of the Office of Education should occur in 1988. I think it would be good if we started asking ourselves what kind of a celebration are we going to have in 1988?

Will those who join that birthday party feel as much hope as we do?

Will they claim that America is continuing to meet its education goals?

Will school children be finally free from the scars of racial discrimination in our land?

Will your country's classrooms be open to new ideas and new instruments of education?

Will our best college graduates be attracted to the teaching profession?

Will the partnership for education between Federal, State, and local government continue to grow stronger?

In large measure, the answers to these questions will be supplied by many of you who are in this audience today. Because of the men who lead you—John Gardner and Harold Howe—I have great faith and confidence in the answers you will give. You cannot work with these two men without catching some of their enthusiasm, some of their passion for education, and some of their dedication to making this a better land in which to live.

This is a happy moment for an ex-schoolteacher from Cotulla, Texas. Even though I have not mastered the New Mathematics, I understand the basic equation of education: As we give in this generation, so will we receive in the next. Those who serve our Nation's schools are helping shape our Nation's destiny.

I wish the Office of Education many, many more happy birthdays.

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COMMUNITY WORK AND TRAINING

The President's Message to the Congress Transmitting Report. March 6, 1967

To the Congress of the United States:

Once again we have evidence that public assistance is best achieved when we help the poor to help themselves.

This is documented by the report I transmit today on the Community Work and Training Program authorized by the Public Welfare Amendments of 1962.

These amendments gave new opportunities for community work and training to thousands of unemployed parents of dependent children.

Title V of the Economic Opportunity Act of 1964 gave further impetus to this program. It reinforced the original Act by providing the counseling, education, health, job placement and other services necessary to give the individual a new start in life.

Experience under these programs has shown that many people—now unemployed and living in poverty—can help themselves. Three-fourths of the 133,000 welfare recipients who have enrolled in these programs since 1964 have been helped:

—22,100 have already found jobs.

—70,200 are in training for productive employment.

—3,500 are taking advance vocational instruction.

—6,700 now have the training and marketable skills that should enable them to find jobs soon.

In short, 102,500 Americans and their families have been given hope where hope did not exist before. This is an impressive record.

But no statistics can measure the gain in self-respect to these parents. These programs substitute a productive job for a life on welfare or in poverty. They provide the opportunity to break the vicious cycle of welfare dependency and poverty which burdens our society.

I urge the Congress to extend and make permanent this program to bring help to unemployed parents and through them hope to our most disadvantaged children.

I urge the States to study the lessons we have learned and to avail themselves fully of the promise which these programs hold.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *March 6, 1967.*

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COLUMBIA, TENNESSEE

The President's Remarks at the Dedication of Columbia State Community College. March 15, 1967

Governor, I don't know whether that is just the enthusiasm of the crowd or whether they all want to warm up a little bit.

Governor Ellington, Secretary Gardner, Dr. Clark, Reverend Allen, my dear friend, Mrs. Albert Gore, Congressman and Mrs. Anderson, and my friends of Tennessee:

First of all, I learned that Mrs. Johnson was coming here to dedicate this community college in Tennessee, and I just could not resist coming along to congratulate all of you myself and to tell the people of Tennessee how proud I am of the great advancement that they are making: the great achievements that we see in this State every day, the fine quality of public servants, your Senators, your Governor, your Members of Congress.

Congressman Anderson here is doing a wonderful job; Governor Ellington has been there helping us all through the years; Senator Gore and your delegation that brought into existence the great TVA which is a model for all the world to emulate.

David Lilienthal is going with me to Guam Saturday night. We are flying for 18 straight hours to meet with the leaders of South Vietnam to put in a plan for South Vietnam that was first born here in the Tennessee Valley.

I know it is cold out there and you don't want to listen to a very long speech, but I do want to tell you that what you are doing here at Columbia is closer to my heart than any other thing I deal with in the whole range of America's national policy.

You are building a new school—and a school is about the most important public building in America. You are going to provide in an attractive, modern environment the education that early Americans like Andrew Jackson and James Polk here in Tennessee sought by fire-light. You are becoming a part of the revolution in American education, a revolution of quality as well as quantity.

More Americans are receiving more education today than ever before in our history. About 3 out of every 10 Americans are now enrolled in our schools and our colleges. Twice as many young people are being graduated from our high schools and twice as many are in college as there were only 10 years ago.

This is not only because of our rising population but it is because America in the 1960's has made a historic commitment and that commitment is first to education.

This commitment is difficult to achieve, but it is very simple to state. We want every American boy and girl to have all the education that he or she can take. We want this so that each child may become all he is capable of becoming. Nothing more—nothing less.

Education cannot be only for a few, any more than health can be only for those who can afford it, or national parks only for those that can travel great distances to reach them.

Education, health, conservation—these are only magnificent abstractions, until we translate them into better, healthier, happier people. They are only possibilities until we turn them into opportunities.

Columbia offers a fine example of how your Federal Government and your State government can work with your local government to enlarge educational opportunities. This will be a school for all the people. It can be a place—such as Woodrow Wilson dreamed of—where the important issues of the day can be discussed, in what Wilson called "The Parliament of the People."

It can serve as a center of excellence in the arts, a home for voluntary service projects, and a meeting ground for the community and regional planners.

It is not hard for me to talk at length about education and what it means, for it meant everything to me at a time when my future hung in the balance. I hope some way, somehow, some day I can repay the debt that I owe in the time that is allotted me. I shall try. I am so happy that you good people of Tennessee are trying, too. I am so happy that you are providing for these young men and these young women because they will be the leaders of Tennessee today, and the leaders of this Nation tomorrow.

Thank you.

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THE QUALITY OF AMERICAN GOVERNMENT

The President's Message to the Congress. March 17, 1967

To the Congress of the United States:

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1. *The Public Service Education Act of 1967*

This legislation has a single clear goal: to increase the number of qualified students who choose careers in government.

The measure would authorize the Secretary of Health, Education, and Welfare to provide fellowships for young men and women who want to embark on the adventure of government service.

It would provide support to universities seeking to enrich and strengthen their public service education programs.

This financial assistance can be used to support a broad range of activity including:

—Research into new methods of education for government service;

—Experimental programs, such as study combined with part-time public service;

—Plans to improve and expand programs for students preparing for government careers;

—Training facilities, establishing centers for study at the graduate or professional level, conducting institutes for advanced study in public affairs and administration.

2. *The Intergovernmental Manpower Act of 1967*

This legislation is designed specifically to deal with the varied manpower needs of State and local governments.

It would authorize the Civil Service Commission to:

—Provide fellowships to State and local government employees.

—Make grants of up to 75% to help State and local governments develop and carry out comprehensive training plans and strengthen their personnel administration systems.

It would allow federal agencies to admit State and local employees to federal training programs, and to provide additional assistance for those employees who administer federal grant-in-aid programs.

Across America, many men and women of skill and vision work in State houses and city halls.

Their knowledge and experience can help us. And we are prepared to bring the special experience of federal employees to the local level.

The Intergovernmental Manpower Act would allow federal workers to take assignments in State and local governments for periods up to 2 years, with full protection of job rights and benefits. In addition, the federal agencies would be able to accept State and local employees for assignments of equivalent periods.

This proposal, I believe, fills a vital need. The mutual interchange of ideas and perspectives will benefit all echelons of government.

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YOUTH TEMPERANCE EDUCATION WEEK

Proclamation 3772. March 24, 1967

By the President of the United States of America a Proclamation

The future of this nation, and perhaps of the world, rests on the integrity and commitment of young Americans who make up almost half of our population. If we neglect the formation of their character, we betray a human trust that transcends the interest of any individual.

Out of a false sophistication, some find it embarrassing to speak of the simple virtues of character that are the mainstays of any great nation or civilization—of duty, sacrifice, fidelity, of sound minds in healthy bodies, of a sense of human brotherhood, love of country, sanctity of the home, purity of ideals.

Yet on these virtues the peace, prosperity, and quality of our society depend.

The condition of our nation today is historically unique. Never has any society come so close to defeating the ancient enemies of poverty, ignorance and ill health. Our social problems loom large in our consciousness, but in the perspective of history, ours is an unprecedented affluence—both in its extent and in its distribution. And that affluence represents both opportunity and temptation. If it lulls us into complacency, if it dims our moral perception, if it tranquilizes our concern for the suffering of the less fortunate, if it encourages self-indulgence and moral indolence, then it is no blessing but a curse.

If our children are to be enriched and not despoiled by the abundance of our material life, we must search our own hearts and minds, our own values and priorities, to be sure that moral and spiritual qualities are not submerged or blunted in the selfish quest for personal security, comfort and luxury. We must accept material abundance gratefully, as a condition which liberates our spirits and frees our minds for the great and beneficent conquests of human sorrow, suffering and weakness.

Human experience illustrates that liberty and discipline are not in opposition; that, in fact, liberty finds its roots in discipline. For the wider goals, the larger dreams, the nobler hopes belong to those who have learned to discipline their impulses and desires, to direct them toward the constructive purpose and the creative challenge.

During this week, set aside as Youth Temperance Education Week, let us consider how we may help our youngsters develop the moral and spiritual strength proudly to accept the challenge to build a better future for all mankind.

To alert young people to the dangers of intemperance and to assist them in the development of moral strength, physical fitness, and civic responsibility, the Congress, by a joint resolution approved May 4, 1966, has requested the President to issue a proclamation designating the week beginning April 23, 1967, as Youth Temperance Education Week.

To this end:

Now, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim the week beginning April 23, 1967 as Youth Temperance Education Week; and I invite the Governors of the States, the Commonwealth of Puerto Rico, and officials of other areas subject to the jurisdiction of the United States to issue similar proclamations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-fourth day of March, in the year of our Lord nineteen hundred and sixty-seven, and of the Independence of the United States of America the one hundred and ninety-first.

[SEAL]

By the President:

LYNDON B. JOHNSON.

DEAN RUSK,
Secretary of State.

EDUCATIONAL OPPORTUNITY GRANTS

Statement by the President Upon Announcing Allocations of Funds to Institutions of Higher Education for Grants to Students. April 5, 1967

President Johnson announced today that some 217,000 students, who could not otherwise afford to attend college, will receive Federal grants for the school year starting next September.

The President announced approval of $108 million for distribution under the educational opportunity grants program, administered by the U.S. Office of Education.

The money will go to 1,518 institutions of higher education, which will make grants directly to qualified undergraduate students.

Last year, the first year of the program's operation, $58 million in educational opportunity grants was awarded to 1,400 institutions to help 134,000 students. The program was authorized by the Higher Education Act of 1965.

"The investment which makes a college education possible for these young people is a deeply satisfying one," President Johnson said. "This investment will be returned many times over when they take their places as highly trained and contributing members of our society."

"Students helped by grants last year have varied backgrounds, talents and aspirations; they come from all sections of the country," the President said.

He cited these examples:

In Louisiana, a student whose father is a laborer and whose mother works as a food server, had won high school honors in mathematics and chemistry. The oldest of eight children, he is now a pre-med student.

In Texas, a daughter of migrant farmworkers, who has herself worked in the fields most of her life, achieved excellent college grades.

A Missouri student, deserted by his father and helped through high school by welfare programs, is following his major interests—creative writing and art.

A Kansas student whose mother, the sole support of the family, had to stop work because of illness, is doing well as an architecture major.

A student in Pennsylvania, who had planned to work in a factory or enter the Armed Forces, is now making good grades in college.

A Wyoming student whose savings were spent as a freshman is able to continue his education in agronomy.

Educational opportunity grants, ranging from $200 to $800 a year, can be no more than one-half of the total aid furnished the student by the school. Other aid includes loans under the national defense student loan program, scholarships, tuition waivers, or earnings from employment. The average grant was $432 in the first year of the program. A student who receives an initial-year award is eligible for a grant for 3 additional years, providing he maintains good standing and continues to need financial aid.

To be eligible for grants, beginning full-time students must be in extreme financial need and must have been accepted by a college participating in the program. Students attending an institution must be in good standing.

Nearly 54,000 of the students who received grants last year will merit an additional award of $200 for attaining grades in the top half of their class. This is the first year of these additional awards, based on the student's previous year's achievements.

A sample of 72 institutions and 5,125 students shows that of the 1966–67 group: 56 percent of the recipients were freshmen, 21 percent sophomores, 14 percent juniors, and 9 percent seniors. Of this group, 60 percent reported no assets. Only 7 percent reported a father's occupation which can be classified as professional or technical.

[NOTE.—A list of allocations to States was also released, with the following explanatory note: Appropriations are allocated to participating institutions for the forthcoming fiscal year. For example: The FY 1967 appropriation is being allocated for grants in the 1967–68 academic year for use during FY 1968, which begins July 1, 1967.]

NATIONAL SCIENCE FOUNDATION

The President's Message to the Congress Transmitting the Foundation's Sixteenth Annual Report. April 6, 1967

To the Congress of the United States:

I am pleased to submit to the Congress the 16th Annual Report of the National Science Foundation.

This Fiscal 1966 Report tells a proud story of continuing progress on many scientific frontiers—of bold and creative men and women pitting their skill and imagination against the challenges and opportunities posed by Nature.

Scientific research is the key with which we can unlock the doors of the future. As a nation we have learned this only recently. Not long ago our scientists usually had to go abroad to learn of the newest discoveries—but now the world often comes here to learn. In our universities, our government and our industrial laboratories, the quality of our scientific research is second to none.

We intend to maintain this high standard. The task we have set ourselves is to wrest from Nature the intellectual treasures with which we will build the world of tomorrow.

Scientific research has given us new insights and provided tools for practical progress:

—New metals which can stand up to the fierce heat of rocket engines make our space flights possible.

—New ultra-miniature electronic devices, born of basic discoveries made only two decades ago, guide our spacecraft in orbit and our aircraft in Vietnam.

—The frontiers of the known universe have been pushed back in the last decade and shown to contain energy sources of unprecedented magnitude thanks to developments in astronomy, and especially in the new use of radiotelescopes.

—Experiments with the atomic nucleus have led us to power reactors which will make electricity more abundant and cheaper throughout the world.

The already visible horizons of the future are even more exciting.

—Our scientists are increasingly confident that we will be able to modify the weather significantly and perhaps even to do away with drought and flood.

—Computers are already revolutionizing our ways of thinking and our ways of doing things, and we have only just begun to sense the impact they will have on our industry, our education, and the abundance of our society.

—Desalting the waters of the seas and the brackish ground waters which underlie great parts of our own and other countries will help meet the needs of parched and thirsty lands.

—New fuels, new plastics, synthetic materials of a thousand kinds, will make life better for our citizens.

—New technologies will give us better ways to eliminate the pollution of our air and water.

—The work of our researchers who probe the chemistry of life itself, and unravel the marvelous molecular codes which hold the secrets of heredity, will also teach us to avert or to cure disease, and perhaps one day may delay the effects of inevitable aging which afflict us all.

We know that we can continue this flow of benefits to mankind only if we have a large and constantly replenished pool of basic knowledge and understanding to draw upon. For the path between basic discovery and its application can be both long and uncertain.

We intend to maintain such a pool with all our talents and resources, so that we can apply it to our needs. Perhaps most important, we intend to maintain this pool of basic knowledge and understanding because of the stimulus it provides to our young minds in the challenge of ideas. Knowledge, as we have learned from our rich experience, is not a laboratory curiosity. It is a critical tool for our national health, our national growth, and the sound education of all of us. The very process of generating knowledge produces the highly trained scientists and engineers that are needed to man our universities, industries and government.

The National Science Foundation is entrusted, more than any other single national institution, with the responsibility to expand our reservior of basic knowledge through research, and to promote excellence in our scientific education. It is doing this job admirably, as the attached report shows. It must—and will—do even better.

Under the programs proposed to you in the Congress for next year, the National Science Foundation would:

—Sponsor the research of faculties and postgraduate students in more than 450 schools in all fifty states.

—Develop new approaches in science education.

—Provide laboratory facilities in at least 30 graduate schools.

—Assist more than 35,000 secondary school and college teachers to improve their teaching capabilities.

—Help to improve the quality of 25 or more institutions of higher education which have shown the capacity to develop outstanding capabilities in one or more scientific disciplines.

—Provide funds to explore and test the effectiveness of computers in all stages of the educational process.

In these ways, the Foundation is substantially expanding its efforts to improve the quality of science education at all levels. It is helping to increase the number of colleges and universities which can provide truly excellent scientific training and research. In doing this, it is continuing to expand our capabilities for basic research in all fields of modern science.

To be fruitful, scientific and technical information must quickly reach those who can use it. As the volume of research results grows, this becomes harder to achieve. But the stakes are well worth the effort. Every increase of one percent in the efficiency of our $22 billion public and private research and development programs is worth $220 million per year. The Foundation will therefore institute new programs to devise improved systems for handling scientific information, and will work with other government agencies to establish standards for Federal technical information programs.

Many of the most pressing problems of our times depend for their solution on a better understanding of man and his interaction with the highly technological society in which he lives. For this reason, the Foundation has more than doubled the funds for basic research in the social sciences over the past five years.

The story of scientific achievement and challenge told by this Annual Report is a story of a sound investment which will pay handsome dividends. I commend the Report to the attention of the Congress and the American people.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *April 6, 1967.*

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NATIONAL TEACHER OF THE YEAR AWARD

The President's Remarks Upon Presenting the Award to Roger Tenney of Owatonna, Minnesota. April 19, 1967

Mr. Vice President, distinguished Members of the Congress, Mr. and Mrs. Tenney and members of their family, ladies and gentlemen:

I have always believed that we make our decisions around here on the basis of merit and merit alone, but when I observe that the Teacher of the Year whom we honor is from Minnesota and has some direct associates in the crowd called Humphrey, I do know what they would say if the situation should be reversed and the teacher came from Texas and his name were Johnson—someone would think there's been some wheeling and dealing somewhere!

I am very much impressed—both by your music and your message. And I am happy to pay my respects to the 1967 National Teacher of the Year.

Last year, we honored a teacher who makes poets out of first-graders.

This year, we pay tribute to a teacher who makes musicians out of football players—and who makes memberships in his choir as sought after as a place on the first team.

Mr. Tenney is an unusual man. The young singers from his high school have won national recognition. He directs three choirs at the local high school. He is the organizer and director of a community choir in his city. He directs two choirs at his church. He teaches adult classes in speech, music conducting, and music appreciation. He coaches young singers individually. He judges 10 to 12 regional and State music contests each year. Somehow, he finds time in his busy schedule to participate in civic affairs, including work with the local Boy Scout troop.

I am about ready to start negotiations with Congressman Quie here—after he gets through with my Teacher Corps up there on the Hill and gets it thoroughly abolished—to see if we can't work out arrangements for him to conduct some singing for both national conventions.

As all of you may or may not know, I am not a singer. My musical education stopped with violin lessons in my boyhood. But it does give me great pride to know that I played a small part in helping to encourage men and women like Mr. Tenney.

Since 1965, your Federal Government has devoted nearly $14 million to encouraging the arts and the humanities all over this great country of ours. The dollars, of course, are just the smallest part of that story. The real story can be seen in the thousands of schools, concert halls, and theaters that stretch out through our 50 States where we have new enthusiasm and new vitality and they are stirring the arts.

Mr. Tenney, you are an example and an inspiration for all of us. I am happy that I could be here with your distinguished Vice President, whom we all honor, respect, and love so much, the members of your delegation led by Senator McCarthy and other Members of the House, and to pay you this great honor and to present to you this award of the year.

I spent a few years of my life teaching. Sometimes people think that I am not doing a very good job of teaching now—that I ought to go back to the profession. But as a former teacher, I cannot think of anything that a teacher would cherish more than the recognition of his countrymen of his outstanding achievements as you have been recognized by this Look award.

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EVALUATION OF THE TEACHER CORPS

Statement by the President Upon Receiving the Report by the National Advisory Council on the Education of Disadvantaged Children. April 20, 1967

The President received today an evaluation of the Teacher Corps conducted by the National Advisory Council on the Education of Disadvantaged Children.

The Council's report, based on inspection visits to 16 sample school districts and 11 university training centers for the Teacher Corps, was transmitted simultaneously to the President, the President of the Senate, and the Speaker of the House of Representatives.

The President noted with interest the Council's central conclusion: "Despite the many difficulties of its first year, the Corps has made a strong beginning. It offers bright promise for substantial improvement in the education of disadvantaged children, and it should be continued. This Council is convinced that to abandon or weaken the Teacher Corps would be a serious and wasteful error."

The President stated: "I hope this report will be read by every Member of Congress who is concerned about education in America. It confirms evidence we have received from every part of the country. The Teacher Corps meets a desperate need."

Dr. O. Meredith Wilson, president of the University of Minnesota and Chairman of the Council, directed the evaluation and submitted the Council's report.

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TRAINING OF FEDERAL GOVERNMENT EMPLOYEES

Statement by the President Upon Signing an Executive Order Providing Improved Training and Educational Opportunities. April 20, 1967

On March 17, 1967, in my Message to the Congress on the Quality of American Government, I proposed several measures for improving the methods, machinery, and manpower of government at all levels.

Two weeks later, I urged the Congress to take two vital steps to strengthen the Federal Government:

—to increase the salaries of Government employees;

—to increase postal rates and improve postal services.

Today I have signed an Executive order which will strengthen the most important resource of the Federal Government—the Federal employee—through improved training and educational opportunities.

In America we are fortunate to have the finest civil service in the world. It is well-trained, experienced, and dedicated. Its skills are unsurpassed. But there is room for improvement.

The tasks facing the Government employee are increasing in complexity each day. He is challenged by the problems of outer space and urban blight, of national security and crime in the streets, of economic development abroad and manpower shortages at home. To each task, he must bring the best our advanced technology can provide. And for each task he is given the most modern equipment available.

But to fulfill his responsibilities as a public servant, he must be equipped to respond quickly and effectively to new demands and new conditions. His skills must continually be upgraded. He must be able to adopt and use the most advanced techniques and equipment available.

The Executive order which I have signed today will enable us to:

—Improve the public service through more effective and efficient training programs.

—Administer Federal programs with increased efficacy and economy.

—Build and retain a corps of employees whose skills are continually upgraded to meet the increasingly complex needs of the society they serve.

—Use the most modern practices and techniques in the conduct of the Government's business.

The order directs the Chairman of the Civil Service Commission to plan and promote the development, improvement, coordination, and evaluation of Federal training programs. He will assist the agencies and departments of the Federal Government in improving their training programs, identify areas in which new training activity is necessary, and coordinate interagency training efforts. He will also develop a training information system to provide the data essential to sound planning and evaluation.

Excellence is important at all levels of Government. It is particularly critical at the top level of the Federal Government. Accordingly, I am directing the Chairman of the Civil Service Commission to establish a center for advanced study for executives in the upper echelons of the civil service.

The center will offer to our top level executives intensive courses designed to bring greater efficiency to the administration of our programs and increased opportunities for career development to our public servants. The courses will focus primarily on three areas of vital importance:

—The major problems facing our society and the nature of the Government's response to those problems.

—The adequacy of the existing structure of Government in relation to today's problems.

—The ways in which administration of Federal programs can be improved.

The center, under the leadership of the Chairman of the Civil Service Commission and an interagency advisory council, will call upon leaders in the academic community and in other fields of endeavor to assist in providing our top executives the best training possible.

In preparing the Executive order and in developing plans for the center, we have been assisted by the distinguished Task Force on Career Advancement which reported earlier this year. I am grateful for their invaluable contribution to our efforts to improve the quality of government.

The Task Force was headed by John W. Macy, Jr., Chairman of the Civil Service Commission. Its members were: Dr. Marvin H. Berkeley, corporate personnel director, Texas Instruments, Inc., Dallas, Texas; Andrew Biemiller, director of legislation, AFL-CIO; Lawrence Binger, corporate director, personnel services, Minnesota Mining and Manufacturing, St. Paul, Minn.; McGeorge Bundy, president, The Ford Foundation, New York City; Dr. Robert D. Calkins, president, The Brookings Institution, Washington, D.C.; Honorable John W. Gardner, Secretary of Health, Education, and Welfare; Dr. Jerome H. Holland, president, Hampton Institute, Hampton, Va.; Dr. Evron Kirkpatrick, executive director, American Political Science Association, Washington, D.C.; Dr. James H. McCrocklin, president, Southwest Texas State College, San Marcos, Texas; and Honorable Charles L. Schultze, Director, Bureau of the Budget.

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NATIONAL ADVISORY COUNCIL ON EXTENSION AND CONTINUING EDUCATION

The President's Message to the Congress Transmitting the Council's First Annual Report. April 21, 1967

To the Congress of the United States:

I am pleased to transmit the First Annual Report of the National Advisory Council on Extension and Continuing Education.

As this Report points out, extension and continuing education—once the neglected stepchild in the American educational system—has now become a vital part of that system. Benefiting 25 million citizens each year, continuing education is helping to meet the needs of America's adult population. It recognizes that education is a continuing process that does not end when the student leaves the classroom.

The Federal role in supporting continuing education began more than a century ago. As our society evolved and became more complex, the Federal effort intensified. Today, through Federally-supported programs, we can cite these examples of progress:

—American adults, denied the opportunity to learn when they were young, are being taught to read and write.

—The poor and the unemployed, through special education and training, are being given a chance to stand on their own two feet.

—Scientists, engineers, doctors, dentists and teachersare improving their skills and keeping up with the latest technological advances.

—Employees at all levels of government are being trained to serve the public better.

These extensive efforts are complemented by our recent efforts under Title I of the Higher Education Act of 1965 to bring colleges and universities into local communities to conduct seminars and other programs on issues of great concern. Under this program we are focusing the intellectual resources and research facilities of higher education on problems affecting the daily lives of every citizen—from health and housing to transportation and recreation.

In its first year alone, the program reached every State in the Nation, with 300 colleges and universities participating. In fiscal 1968, this number will almost double.

The attached Report of the National Advisory Council on Extension and Continuing Education details much of this progress and recommends a number of steps to strengthen continuing education in America.

After consultation with the Council, the Administration developed and submitted to the Congress legislation to improve our continuing education programs under Title I by:

—Extending the program for another five years.

—Enabling smaller colleges and universities to continue to participate.

—Providing additional funds for experimental projects.

I commend this Report to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *April 21, 1967.*

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AMERICAN PHYSICAL SOCIETY

The President's Remarks to Members of the Society at the Sheraton-Park Hotel. April 26, 1967

Dr. Townes, Nobel Laureates, most distinguished guests, ladies and gentlemen:

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The breathless advance of scientific thought has produced a world which our fathers would never have imagined. The transistor radio, the microwave communication links, television, and atomic energy are based on knowledge which had not even been discovered when you were children. The new ultraminiature devices which guide our spaceships and are giving us new medical tools are all the products of the last 10 years. In our universities and in our industries, creative minds are daily discovering new truths and other creative minds put these truths to work for the benefit of all humanity.

We just must not relax our efforts. I have seen in Europe this week, in Asia last month, and in Latin America within the fortnight that the whole world now looks to science to help it meet its growing need—and that need is great for food, for better health, and for a better life. But it looks, too, to science to broaden its horizons, to provide a fresh new view of man and the universe, and, above all, to conquer our ancient prejudices.

You members of the American Physical Society are the workers on the frontiers of understanding. Science is so powerful as a force for change in the world that scientists must play a most important and an increasing role in the international affairs of the world. The country will need the help of scientists, including a large and strong contingent of physicists, if we are to be able to deal effectively with the central problems of the present and the future, to deal with the problems of peace in the world, and the welfare of three-quarters of the population of the earth who tonight live on the narrow edge of existence.

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CROSSLAND VOCATIONAL CENTER

The President's Remarks at the Dedication of the Vocational-Technical Department of Crossland Senior High School. April 27, 1967

Chairman Perkins, distinguished Members of the Senate, Senator Brewster and Senator Tydings, Congressman Machen, Mr. Hrezo, Mr. Dixon, ladies and gentlemen:

It was 55 years ago that the great Kansas editor William Allen White issued his appeal for vocational education in America.

"The end of all schools," he said, "must be life—or public education will fail . . . we must provide for the practical, the vocational."

Five years later, President Woodrow Wilson signed the first great charter in this country for vocational education. That charter was the Smith-Hughes Act passed by the Congress in 1917. That Smith-Hughes Act pledged Federal support to the States for the education of young people in useful work.

This law established an educational partnership which has helped millions of Americans learn vital skills in agriculture, in home economics, and in industry.

So we come here today, in this year, to celebrate the 50th anniversary of that historic step when we passed that historic law. As we dedicate this great new center for vocational education, we also celebrate another step toward another important national goal: that every young American shall obtain as much education as he wants—as much training as he can absorb and use.

There was a time when we thought that merely sending a child to school for a given number of years was enough to prepare him for his future life. Now we know that is not enough.

There was a time when a young man could drop out of school, get a job, and enjoy a reasonably secure future. But now, in an expanding universe of knowledge and change, we know that that is not enough.

Once we considered education a public expense; we know now that it is a public investment.

Once we thought that every man could have a job—if only the economy flourished. We know now that education, not the gross national product, is the real key to full employment in our land.

This new building, that we are all so proud of, is an example of what we have been learning about education and the world of work.

Crossland Vocational Center, and others like it that are springing up throughout this Nation, are a forge which will shape the lives and the careers of our young people—and through these young people, we will build the America of the 21st century.

As we approach the next century, every citizen who hopes to play a productive role in American society must have occupational training of a sort—whether he wants to be a brain surgeon, an airplane repairman, an X-ray technician, or an astronaut.

Before the year 2000, we will see startling changes in science and technology: Change will simply wipe out hundreds of occupations that exist today. It will create hundreds of others that require new knowledge and new skills.

If we are to step into the future without stumbling, we must produce trained citizens in this country.

We must help the one million students in our land who each year drop out—cutting themselves off from education, when the thing that they need most in this world is education.

We must smooth the transition from school to work. We must help students become employable by encouraging them to combine school with a job.

Four years ago, when I signed the Vocational Education Act of 1963, only 4½ million students were enrolled in Federally-assisted vocational classes in the country. Today, that 4½ million has grown to 7 million.

Four years ago, there were fewer than 400 vocational schools in the country. Today there are nearly twice that number.

Not many people really realize how swiftly times have changed in Federal support for education. Four years ago, your Federal Government was spending a little over $4 billion—$4.2 billion—for education and related training programs. The budget for the coming year calls for $12.4 billion—almost three times as much.

Four years ago, the Office of Education was spending only $700 million to support education. In the coming year, it will spend $4.2 billion—and that is seven times as much.

The Public Health Service, the Office of Economic Opportunity, the National Science Foundation, the Labor Department, the Defense Department, the Veterans Administration, and the Department of Housing and Urban Development—all of these are giving top billing to education in this land.

It looks easy now, but we spent more than 20 years in the Congress battling for this breakthrough.

There were big roadblocks every step of the way:

—the poor States were feuding with the rich States;
—the public schools versus private and church schools;
—the city schools versus the rural schools;
—the integrated schools versus the segregated schools.

During those 20 long years, many Members of the Congress despaired of ever passing any kind of Federal aid to education. But finally, we worked out a program which avoided the roadblocks and, we thought, settled the feuds. At long last the Congress put the law on the books and put the money in the schools.

Today, we are confronted with another feud. Some so-called "friends of education" want to go—and believe that we should go—back to where we started. They claim that they know a better way to spend the money. They propose to discard the Elementary and Secondary Education Act of 1965 that we put on the books with such great difficulty after 20 long years—to scrap it now before it is 2 years old—and to substitute in its place a different kind of legislation.

No one can tell for sure just how they plan to change the law. Each day new proposals, new substitutes, and new versions are presented. But already they have accomplished a great deal.

We see a revival of the suspicion of the poor States toward the wealthy States. We see a revival of the ancient and bitter feuds beginning all over again between the church and the public school leaders.

We see the fears of the big city school superintendents being expressed.

We see the same roadlocks which obstructed and halted Federal aid to education for 20 long years being built up again.

I hope that all our people and all of their spokesmen in the Congress will stop, look, and listen before they march down a blind alley.

This is a time of testing for American education.

The gains that we have made so far are only the beginning. We must build on those gains. But we must not lose all we have gained by reckless effort, by rewriting our laws, or by playing for partisan political advantage.

Thomas Jefferson said that "the most important bill in our whole code is that for the diffusion of knowledge . . . No other sure foundation can be devised for the preservation of freedom and happiness."

I think that those words are even more true for the 20th century and the 36th President than they were for the 18th century and the 3rd President.

I am glad to come here today, because I am glad of the work that we have done together. The citizens of the Nation were supported overwhelmingly in the final analysis by the Congress in establishing these programs.

The young people presented proof that not only the citizens and the taxpayers, but also the Congress and the President were right in their hopes.

We can see from those programs great results flowing to our economy and to the individuals who have benefited from this training.

And there is nothing more important to freedom in the world, to liberty in the world, to the dignity of man than education. I am glad to come here today and to see the foundations that you in Maryland are building, the foundations that you have already laid, the predicates that you have planned for the preservation of freedom and of happiness.

It is a stimulating experience for me to come here with your leading State officials and your wonderful congressional delegation and see that we are building for tomorrow on a solid foundation, because as a great leader of my country once said, "Education is the guardian genius of democracy. Education is the only dictator that free men will ever recognize and the only ruler that free men will accept."

I think when the history of our time is written and the last 3 years of our work together with the Congress, the people, the country, and the Executive, the extra tenfold increase of $10 billion that we have spent in the field of education, and the extra $10 billion that we have spent in better health for our people, will pay the greatest returns of any investment that our country has ever made.

At this moment we are carrying great loads of expenditures because of our efforts to preserve liberty and freedom in Southeast Asia—and to protect it. And in the fiscal year our expenditures for military increases over what they were 3 years ago when I became President will more than exceed $20 billion.

But during the same time that we are carrying those burdens, we have not lost sight of the needs of the education and the health of our people. We have, accordingly, increased our domestic expenditures, primarily for health, education, and conservation, above those that we have increased for defense. We have increased them to some $25 billion to $30 billion.

And a nation where most of its people are employed, earning the best wages they have ever earned before, enjoying the greatest prosperity with the highest gross national product—

Yes, these are burdens, but we can carry burdens to preserve liberty, to provide health and education for our people. And we will. We will persevere. We will prevail. And we will educate our citizens and provide for the health of our nation.

Thank you very much.

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MANPOWER REPORT OF THE PRESIDENT

The President's Message to the Congress Transmitting the 1966 Report, With Recommendations for New Directions in Manpower Policy. May 1, 1967

To the Congress of the United States:

In January 1966, fourteen young men—high school dropouts—enrolled in a Baltimore Neighborhood Youth Corps program. Eight months later, most of them had returned to school, helped by part-time work and wages received through job training.

Last February in the same city, 29 women—all on the relief rolls—graduated from a federally-sponsored course to train nurses' aides. Today they are off welfare, working in hospitals. As they help themselves and their families, they are helping the nation meet its critical shortage of health workers.

In Chicago last summer, six employment offices were set up for teenagers under the Manpower Development and Training Act—and run by the young people themselves. Through these centers, 750 young men and women got jobs. What might have been empty summers became, for them a satisfying, productive time.

These examples of progress are the result of programs begun only a few years ago—programs which reflect the nation's commitment to a positive manpower policy.

By bringing new skills to thousands of Americans, these programs are fueling the ambitions and fulfilling the hopes of many who might otherwise have been condemned to idleness—not by choice but by lack of opportunity.

This Manpower Report to the Congress, submitted under the Manpower Development and Training Act, surveys the progress we have made in the last year. It also points up the troubling and persistent problems of unemployment in a prosperous economy—and the steps we must take to overcome those problems.

1966—A YEAR OF PROGRESS

An effective manpower policy depends on a healthy economy. In 1966, this Nation's unemployment rate dropped below 4 percent—reaching a 13-year low. Seventy-four million people were working, nearly two million more than when the year began.

The total production of goods and services in America increased to an historic $740 billion—$58 billion more than in 1965. On the whole, jobs were paying better than ever, and were more regular and secure than they had been in many years. More than 98 percent of men in the labor force with families to support were at work. The after-tax income of American families increased, after allowing for price increases, by 3.5 percent.

This economic progress did not occur by chance. It was the achievement of business and labor. It was the result of gradually improving education. Much of it also came from careful efforts by Government to encourage and sustain economic growth—and to carry out humane and positive manpower programs.

Those efforts—even the newest of them—have been remarkably fruitful. Through the Economic Opportunity Act of 1964, the Elementary and Secondary Education Act of 1965, the Higher Education Act of 1965, the Manpower Development and Training Act of 1962, strengthened by the 1965 and 1966 amendments, and through other progressive measures, we have taken vital steps to assure opportunity to all our citizens.

By the end of last year, for example, under the Manpower Development and Training Act programs:

—About 600,000 unemployed and underemployed workers had been enrolled in training;

—Three out of four trainees who completed their classroom work had gone on to regular employment;

—Nearly nine out of ten citizens who had completed on-the-job training were gainfully employed;

—Thousands of citizens most in need of help—Negroes, Puerto Ricans, Mexican-Americans and other disadvantaged young Americans—had received training;

—Workers by the thousands were being trained to relieve acute manpower shortages in the health fields and in a variety of other occupations.

By late 1966, under the Economic Opportunity Act:

—More than 800,000 young people had received a new start through the Neighborhood Youth Corps.

—Thousands of poor boys and girls, many who were at less than a fourth-grade literacy level, had gotten training and jobs through the Job Corps.

—200,000 young men and women, who might have been forced to leave college because of financial difficulties, had continued their education through the College Work Study Program.

—138,000 needy family breadwinners were given new skills through the Work Experience and Training Program.

These programs are helping more than a million Americans each year to gain the knowledge and skills needed for steady productive employment.

THE PARADOX OF PROSPERITY

Our manpower programs have accomplished much. They must be continued—and their momentum increased. For the year 1966 reminded us that expansion of the economy will not, by itself, eliminate all unemployment and underemployment.

Last year the over-all unemployment rate dropped to 3.8 percent and the rate for married men to below 2 percent, an impressively low figure. But we have no reason to be complacent. The tragedy of joblessness is not only in the *amount* of unemployment—but in the *kind* of unemployment.

—Over twelve percent of our young people aged 16 to 19 were still looking for jobs at the year's end.

—Among Negroes and other minority groups, the unemployment rate was almost double the over-all rate.

—In slums and depressed rural areas, joblessness ran close to ten percent. And one out of every three people in those areas who are or ought to be working today faces some severe employment problem.

Much of this unemployment occurred not because jobs were unavailable, but because people were unable to fill jobs or, for various reasons, unwilling to fill them.

—Often the job is in one place—but the worker in another.

—Or the job calls for a special skill—a skill the unemployed person does not have.

—The employer insists on a high school diploma—but the job seeker quit school without this qualification.

—An employer demands a "clean record"—but the applicant has a record marred by a juvenile arrest.

—A job offers one day's work a week—but the worker needs five days' pay to support his family.

All these problems have long been with us. In the past, however, they were often obscured by general unemployment: when thousands of skilled experienced workers were searching for work, scant attention was paid to the jobless high school drop-out.

Today, illuminated by prosperity, these problems stand out more clearly.

At the end of 1966, about 2.9 million workers were unemployed. But it is estimated that during the course of the year, about 10.5 million workers suffered some unemployment.

About three-quarters of the 10.5 million workers were only temporarily out of jobs—and soon found work. The young worker just entering the labor force belongs to this group; the bank teller who has left his job to seek a better one; the lathe operator who has been laid off while adjustments are made in the production schedule.

We cannot eliminate all temporary unemployment. In a free and mobile society, people must be able to change jobs and get better ones; workers must be able to leave and enter the labor force at will; and the rate of production of particular firms and industries must be free to respond to market forces.

We must seek, however, to minimize the hardships of temporary unemployment:

—By making it unnecessary for young men and women to spend long weeks job hunting after they leave school;

—By providing greater year-round opportunities to seasonal workers;

—By improving job referral services to bring jobs and workers closer together.

Our manpower programs seek to do just those things—and to reduce the waste and frustration that result from even short spells of unemployment.

But our manpower programs must do more. They must reach the workers who are unemployed for long periods and those who are frequently out of work.

Preliminary estimates from our labor force survey show that during 1966 there were 2.5 million American workers who were jobless for 15 weeks or more during the year. Of those, about 700,000 were out of work during more than half of the year. Another ½ to 1 million *potential* workers had abandoned the search for a job, at least temporarily, and were not even counted as unemployed. Still another 500,000 unemployed were probably missed by the labor force survey. Others were employed at part-time jobs when they needed full-time work.

Some of these workers should not be in the labor force at all, including those too old or too ill to hold steady jobs. These people can be helped by improvements in our health, public assistance and social security programs.

Others in this group have the skill and experience to find and hold good jobs. They can be helped by improvements in our employment services, and by actions to reduce seasonal unemployment.

But there are many who need special manpower services before they can become fully adequate workers and earners. Precise measurement of the magnitude of the task ahead is difficult—indeed, impossible. But we can estimate that there are roughly two million potential workers who can be helped and are willing to help themselves.

These are the dropouts—young men and women who have left school with inadequate education and without skills. Lacking experience, they cannot find work; lacking work, they can never get experience.

They are older workers whose obsolete skills are useless in today's job market.

They are Negroes, Mexican-Americans, Puerto Ricans, and others barred from jobs by other people's prejudice.

They are the illiterate, the migrants, the mentally and physically handicapped, the young men rejected as unfit for military service.

This is the effort that has to be made—to reduce unemployment to the point where all that remains is the result of inevitable movements within the work force, irreducible seasonal factors, and a small number of people whose disadvantages or circumstances preclude their satisfactory employment.

The remaining problem is formidable and its solution will take time. But it is of manageable proportions.

Never before have we had so great an opportunity—or so urgent an obligation—to bring training and skills to people willing to help themselves.

These Americans need hope, not handouts. They want—and deserve—work and training, not welfare.

NEW DIRECTIONS IN MANPOWER POLICY

If we are to proceed in practical ways to assist the unemployed, we must pursue five new directions in manpower policy.

1. *We Must Bridge the Gap Between Education and Work.*

Few nations—perhaps none—can match the achievements of our educational system. None equals the record of our economy. Yet our youth unemployment rate is the highest of any modern nation.

We pay too little attention to the two out of three young people who do not go to college and the many others who do not finish college. As citizens and supporters of public education, we should be as concerned about assisting them in their transition from school to job as we are about preparing others for college.

Too many young men and women face long and bitter months of job hunting or marginal work after leaving school. Our society has not yet established satisfactory ways to bridge the gap between school and work. If we fail to deal energetically with this problem, thousands of young people will continue to lapse into years of intermittent, unrewarding and menial labor.

Our interest in a young person should not stop when he finishes—or drops out of—school. Our concern should become even greater then. It should extend to the point at which every young person becomes self-sufficient. Any other view would not only lack humanity—it would be false economy.

Other nations have developed broad industry training and internship programs, offering education and experience to young people entering a trade or profession. Still others have established close ties between educational institutions and employment agencies at all levels.

We can profit by these examples if we:

—Build into our employment system a broader concept of apprenticeship and work experience;

—Establish in our educational programs opportunities for students to learn more about the world of work;

—Build a system in which education and work experience are brought together to provide the kind of preparation that fits the needs of our society.

To achieve these ends, I am directing the Secretary of Labor and the Secretary of Health, Education, and Welfare to make a thorough study of the relationship between our educational programs and our manpower programs, between learning and earning in America. By more closely relating the two we can reduce the high unemployment rate among young Americans.

In this task, the Secretaries will consult state education and employment agencies, local boards of education, business and labor leaders, and the special Committee on Administration of Training Programs which Congress recently authorized. They will also review such related problems as the difference between laws relating to the school-leaving age and those governing the age for entering certain occupations, and any applications of minimum wage agreements, laws or practices which inhibit experimentation in adding a work content to educational programs.

2. *We Must Concentrate Our Efforts.*

Six years ago, general unemployment plagued the country. Nearly seven percent of our workers could not find jobs. Every state and almost every city suffered. The situation was far worse in slums and depressed rural areas than in the suburbs—but unemployment was so widespread that it had to be fought everywhere.

The nation's employment map shows 150 major labor areas. In March and April of 1961, unemployment in 101 of these areas exceeded 6 percent. At the end of 1963, 38 of these 150 areas still suffered high unemployment.

By the end of 1966, only eight of the major labor areas had an unemployment rate above six percent. An expanding economy, strengthened educational programs and public and private manpower training efforts, had created jobs and trained men to fill them.

But two million Americans needing employment assistance still remained—Americans who could be helped and who were willing to help themselves. Education, training, swift economic advances somehow had passed them by.

Last year, to develop a body of detailed information about these unemployed citizens and their problems the Secretary of Labor surveyed unemployment in selected slums throughout the country.

This survey concluded that:

—Unemployment in the city slums is three times higher than the national average.

—One out of three potential workers in those areas is not adequately employed—including those who could be working but are not; those who are working part-time but want full-time jobs, and those who are working full-time but earning substandard wages.

The results of this study show not only where the unemployed are but why they are jobless. The study concluded that despite the spectacular growth of our economy, despite improvements in the human and social conditions of American life, the unemployment rate in many of these depressed areas is as high as it was six years ago.

To the extent that the remaining unemployment is concentrated in these areas, our programs also must be concentrated. To scatter our effort now is to waste it.

I have asked Congress to provide an additional $135 million in fiscal 1968 under the Economic Opportunity Act for a new manpower program to provide special assistance to our most disadvantaged citizens.

With these funds, we can:

—Focus our services more sharply upon areas and individuals in greatest need.

—Tailor these services to the requirements of each individual—counseling, health services, training, and follow-up assistance on a case by case basis.

—Enlist the support of local business and labor organizations—the key to any successful employment program.

But the need was too urgent to permit delay. Accordingly, *I asked the Secretary of Labor and the Director of the Office of Economic Opportunity, in cooperation with the heads of other Federal agencies, to begin this special manpower program immediately with all available resources.*

Our manpower programs also must be specially aimed at two other groups: seasonally employed workers and the handicapped.

Thousands of seasonally employed workers lead hard, uncertain lives. For them, employment is determined not by their abilities or opportunities but by the calendar. Among them are construction workers and hired farm laborers—especially migrant farm workers, who pick a meager living from the soil, "traveling everywhere but living nowhere."

To help these workers, I have asked the Secretary of Labor in cooperation with the Secretary of Agriculture and the Acting Secretary of Commerce to make a detailed survey of seasonal unemployment and underemployment—and to find ways to deal with these problems.

This study should seek methods by which Federal, state and local governments, through their contracting procedures and other activities, can reduce seasonal lags in employment, especially in the construction industry. It should explore the feasibility of a migrant manpower corporation and other ways to help regularize the employment of hired farm workers, particularly migratory farm workers.

For thousands of mentally and physically handicapped Americans, employment has too long been considered an exclusive concern of "charity." Yet, we know that many handicapped citizens can learn important skills, and can become effective workers.

I am directing the Secretary of Labor and the Secretary of Health, Education, and Welfare to explore additional ways in which business, industry and government can provide more meaningful employment opportunities to handicapped citizens.

3. *We Must Make Our Overall Manpower Effort More Efficient.*

Our major commitment to an affirmative manpower policy is relatively recent. Many of our manpower programs are new, and we are still building the machinery to carry them out. By a combination of law and delegation of authority, the Department of Labor has primary operating responsibility for manpower programs.

But the problems of manpower development cut across organizational lines. They are closely intertwined with problems of social, economic and educational development. Accordingly, the Department of Labor has established close working ties with the Department of Health, Education, and Welfare, Office of Economic Opportunity and other Federal agencies having responsibilities in these areas.

Perhaps, the most important of these new working ties is the recent delegation of several OEO adult work and training programs to the Department of Labor. These arrangements link the Labor Department's responsibility in the manpower area with OEO's responsibility for coordinating anti-poverty programs. They provide local initiative by the carrying out of local programs through Community Action Agencies wherever this is practicable.

We are working to strengthen those ties: to centralize, consolidate and streamline our operations.

The task of manpower development, of course, cannot be a Federal task alone. Recognizing this, we are placing greater emphasis on on-the-job training programs conducted by private employers.

As the demand increases for workers with special skills, we should take positive steps particularly to encourage private job training efforts:

First: We must obtain reliable information on which to base our plans. I have asked Congress to provide funds for a systematic study by the Secretary of Labor to answer these questions: What public and private job training programs are now available? Whom do they serve? What needs remain unmet?

Second: I am directing the Secretary of Labor and the Acting Secretary of Commerce, in cooperation with other Federal agencies, to establish a Task Force on Occupational Training. This task force, with members drawn from business, labor, agriculture and the general public, will survey training programs operated by private industry, and will recommend ways that the Federal Government can promote and assist private training programs.

Third: I have recommended that Congress provide an additional $5.6 million to enable the Secretary of Labor to aid private industry in experimental projects providing a wide range of services and training to seriously disadvantaged workers.

Fourth: I am asking the Secretaries of Labor and Agriculture to conduct a study to determine both short-term and future manpower needs and the supply of workers in rural America. With this information, we will be able to plan to meet the needs of our workers and of our rural economy.

4. *We Must Make Military Service a Path to Productive Careers.*

Members of the Armed Forces have an opportunity to perform vital military service. They can also acquire knowledge and experience to prepare them for civilian careers after their service.

In fiscal 1966, 750,000 servicemen completed specialized training programs. In almost 2,000 different courses, from automobile repair to aerospace technology, these young citizens have gained skills and experience which help them to obtain civilian jobs.

The Armed Services have also made educational growth possible for thousands of servicemen through the U.S. Armed Forces Institute and other educational programs. Nearly 80,000 servicemen earned the equivalent of a high school diploma last year.

In addition, the Secretary of Defense has launched "Project 100,000" to accept and train thousands of young men who were previously rejected as unfit for military service. Under this program, 40,000 young men are joining the Armed Forces this year. 100,000 will join next year. All will receive specialized training to help them become good soldiers—and later, productive citizens.

There are, of course, some military specialists whose training does not lead directly to civilian employment.

To help them, I have asked the Secretary of Defense to make available, to the maximum extent possible, in-service training and educational opportunities which will increase their chances for employment in civilian life.

5. *We Must Work Toward a More Comprehensive Manpower Program.*

If our manpower programs are to reach as many workers as they must, we should strengthen the Federal-State employement service so that it can improve job placement, provide better training and job information, and offer guidance and counseling to all those who need these vital services.

A sound economic and manpower policy also requires effective measures for maintaining the income of the worker and his family when working patterns change.

I urge the Congress to amend the unemployment insurance laws to provide training, guidance, or other services in conjunction with extended benefits to the long-term unemployed. I urge Congress also to extend the protection of the system to additional workers, to establish a more realistic level of benefits, and to correct the abuses which occur within the present system.

Along with the improvements I have proposed in the Social Security system and our public assistance programs, these steps will enhance the lives of millions of poor families and give them incentives to improve their education and their job potential. Further, I have proposed under the Economic Opportunity Act that Job Corpsmen, Neighborhood Youth Corpsmen and others engaged in work and training under that Act should be given greater incentives to work, by allowing them to earn more without a corresponding loss of welfare assistance to their families.

Our economic system must have adequate "manpower"—but manpower is not enough. The economic system is a means. Its end is the individual.

To better serve the deeper purpose of our manpower programs, we must seek answers to the most fundamental questions about unemployment.

I therefore urge the Congress to provide $20 million for a special census of 3 million households in America.

Among other data, this population census will give us vitally needed manpower information about unemployed Americans. It will provide for us a more complete profile of the jobless worker. Where does he live? How much education and training does he have? What are his health and economic problems? What other obstacles must be overcome to find and hold a job?

CONCLUSION

We know that a vigorous economy and an effective educational system are the bedrock of an effective manpower policy.

Our economy is healthy, and our unemployment rate is low. We work with constant vigilance to keep that rate low.

The eighteen landmark educational measures I proposed and you in the Congress enacted are symbols of our belief that education is the most important investment we can make in the nation's future.

Thus, on these foundations—a thriving economy and educational progress—we can shape our manpower policies to:

—Prevent the misuse, and non-use, of our youth.
—Meet squarely the problems of the two million Americans who need employment assistance and who stand ready to help themselves.
—Meet the needs of a burgeoning economy for skilled workers.
—Help workers with special employment problems—the handicapped, the migrant worker, the Armed Services rejectee.
—Bring workers to jobs as well as jobs to workers.
—Develop a closer partnership with business and private agencies.

We are heartened by the progress of our manpower programs over the past years. This progress is not material for bold headlines: quiet victories seldom are.

One man's struggle to improve himself, to learn new skills and discard old habits, is deeply personal and often painful.

But each day victories are being won—in dozens of Neighborhood Youth Centers, in scores of Job Corps Camps, in thousands of training projects under the Manpower Development and Training Act.

Often our progress is measured not by what happened but by what has been avoided. The high school dropout whose name might have been recorded on a police blotter—but was not because he learned a skill and got a good job. The father of five who might have waited in line for his relief check—but did not because he was trained and went on to steady employment.

The yardstick we must use is not what we have accomplished in the past—but what we must do in the future.

We will do our best. We will try and try again. We will never lose sight of our goal—to guarantee to every man an opportunity to unlock his own potential; to earn the satisfaction of standing on his own two feet.

Our goal, in short, is to offer to every citizen one of the greatest blessings: a sure sense of his own usefulness.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 1, 1967.*

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WHITE HOUSE FELLOWS

The President's Remarks at the Reception for the Fellows. May 1, 1967

Mr. Carr, Members of the Cabinet, Ambassador Lodge, Members of the Congress, ladies and gentlemen:

There is a natural aristocracy among men, Thomas Jefferson once wrote. The grounds of this are virtue and talent.

This evening the White House belongs to you who are members of that aristocracy, you who have proven your talent and you who have demonstrated your virtue.

Judge Hastie tells me that there may be even some among you who have both virtue and talent.

We welcome you here, White House Fellows, new Fellows, the finalists, as well as the friends of this program.

In the early years of this century, the great English Doctor, Sir William Osler, delivered a commencement address at the Johns Hopkins University. There he made a very striking and very controversial observation:

"Take the sum of human achievement," he said, "in action, in science, in art, in literature. Subtract the work of the men above 40, and while we would lose great treasures, even priceless treasures, we would practically be where we are today. Effective, moving, vitalizing work of the world is done between the ages of 25 and 40."

The next morning a Baltimore newspaper headlined its account of Sir William Osler's address this way: "Osler recommends chloroform at 60."

I am sure that some of you newspaper people may have even reduced that sum and may recommend chloroform at 58 now.

But if Dr. Osler, upon reading that, was tempted to chloroform a reporter, I think he could have been forgiven. That was not the first time, nor the last, that a public figure has felt that urge.

Tonight, in paying tribute to the White House Fellows, I would not go so far as to recommend chloroform at 60, or at a reduced age, but I do want to remark upon the happy combination of youth and competence which this program has been bringing to this Government.

I want to tell you what effective, moving, vitalizing work these young men and women have been doing for their country.

Two years ago when we established the program, we thought that its main benefits would be educational, serving chiefly the Fellows themselves. Today we are not so sure who really gains the most, the Fellows or the Government they serve.

One of last year's Fellows wrote a report which formed the basis for very important decisions about our migrant farm labor problem. Three of that first group remained in Government service after their terms as White House Fellows had ended, two of them on my staff.

Among this year's Fellows, one has just returned from a special mission to Vietnam. Another is working here in the White House to make the next few months not a long, hot summer, but a long, hopeful summer in Washington.

All of you—in great ways and small—are helping to make your country work and that is an opportunity and that is an achievement that is to be prized very highly.

Every young man and every young woman in this room is set apart from his generation by rather exceptional ability. But just as truly, every one of you is a member and a representative of his generation.

So this evening I speak not only to you but to your generation. The spirit of that generation today is first of all a questioning, critical spirit, skeptical of promises and rather impatient with results.

That is a spirit which may sometimes overly concern your elders, but it is a spirit that your country needs.

Today's young people enjoy not only unparalleled ease and comfort, but they enjoy enormous freedom—freedom of inquiry, freedom of expression, yes, freedom of dissent.

That free spirit we need, too, for freedom of speech can never harm us if we remember that freedom of speech is a two-way street.

We must guard every man's right to speak. But we must also defend every man's right to answer.

Your generation may at times feel a sense of outrage, for it, like every other generation, is inheriting a world with numerous problems that are yet to be solved.

So we need that restless spirit. It is the motive power behind every forward step that a man or a country must make.

There is only one catch: The sternest impatience, the greatest power of speech, the most noble outrage against injustice, all would be only good intentions unless Americans, young and old, involve themselves, unless they go into the field with that "Message to Garcia", unless they translate their best ideas into practical achievements.

It is a sad fact that less than 50 percent of the eligible voters under 25 exercise their right to vote. That is the lowest level of participation in any age group in America.

The world cries out not only for the presence of the young, but it cries out for their participation.

The young people, I believe, under 29 years of age cast only 16 percent of the total vote cast in the country, although people under 30 make up almost half of the population.

The White House Fellows program, which I established in 1964, is an effort to inspire participation in government. The Washington Summer Interns program is another.

We expect this year, I am told, to have some 15,000 young Americans coming here to Washington to learn about their Government at first hand for the 3-month summer period.

Another such effort is the Presidential Scholars program, which I also established in 1964. The Presidential Scholars program seeks to identify our brightest high school students to convince them that scholarship is itself a form of public service.

These programs are important. They touch only the brightest few. But we are pressing toward excellence in other ways.

I know there are some reporters who would rather drink the hemlock than hear another statistic. But I must say this: I consider that, aside from our security, the two most important things to concern Government are the health of its people and the education of its minds.

I was looking at some statistics just today. In the last 3 years we have increased the moneys we appropriate for education about three times. We were spending about $4 billion for education 3 years ago. Today we will spend over $12 billion.

We were spending $4 billion for health in the Federal budget 3 years ago. Three years later we are spending three times as much—$12 billion.

So this year we will spend approximately $25 billion just for the education of our people and the improvement of their minds and the health of their bodies.

That is not enough. But if we had made as much of an increase starting 15 years ago as we have made the last 3 years, we would have real cause for pride and we would have more educated citizens who are participating in the drama of public life.

In that drama we cannot rely solely on the idealists or the pragmatists. Many societies have crumbled because the dreamer and the orator had neither the drive nor the ability to reach their goals.

On the other hand, the practical man without visions or plans has left us some real monstrosities to remember.

So what we are trying to do is to find here in this country, yes, here in the White House Fellow, a combination of an idealist with vision and a pragmatist with judgment.

If I could return to the East Room on your 50th anniversary to a reception given for the founder of this program, I would like to have it said of you that you have been men and women with your eyes in the stars and your feet on the ground.

I would like for you to have a vision and a dream. Then I would like for you to have the ability to carry it out and see it executed: for the hard frustrating process for molding ideas into action is a most rewarding venture.

In the highest sense of the word getting the translation into action is politics.

Because you know the importance of involving yourself in that vital process, you have been selected, 16 of you, out of thousands throughout this land.

Theodore Roosevelt once said: "It is not the critic who counts, not the man who points out how the strong man stumbles. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood, who spends himself in a worthy cause. His place shall never be with those cold and timid souls who know neither victory nor defeat."

So, my young friends, the White House Fellows, you seem to have chosen this arena. I can assure you that it will be filled with many promises of victory, and there are also a good many prospects of defeat.

But it is only in the arena that you can really learn the golden lesson of every man who would do good on earth.

Even your mightiest works may change the world just a little bit. But to change the world even a little bit is a very mighty work indeed.

We welcome you, we thank you, and we will watch you.

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MAYOR TOM MILLER OF AUSTIN, TEXAS

The President's Remarks at the Unveiling of the Bust of the Former Mayor. May 6, 1967

Mayor and Mrs. Palmer, Judge and Mrs. Thornberry, Dr. and Mrs. Barclay, members of the Tom Miller family and friends of Tom Miller in Austin:

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I remember back in the PWA days—in the thirties—how he was pleading constantly for hundreds and hundreds of thousands of dollars for our grade schools and for our high schools.

He was one of the first men who talked to me along with Beauford Jester, about the main building at the University of Texas, and all the other buildings that followed there, and then about the University taking over all the buildings that the Federal Government owned—if there ever was a surplus one—from the magnesium plants on. He loved the University. He worked to make it a leading university in the Nation.

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So in health, education, and conservation, he was a leader.

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CONFERENCE ON WOMEN IN THE WAR ON POVERTY

The President's Remarks at a Reception Honoring Women Leaders Attending the Conference. May 8, 1967

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That is in the finest and oldest American tradition: the same tradition that established the land grant colleges and public education, and the GI bill of rights; the same tradition that passed the Homestead act; the same tradition that established the NYA more than 30 years ago.

It is also the tradition out of which you have come.

I was looking at some figures as I flew up on the plane today. I looked back a little over 3 years ago when I considered my first budget.

Then we were spending a little over $4 billion a year on educating our people. This year, we have more than 12 billion in our budget for education.

Three years ago we were spending about 4 billion a year on our health programs for all of our people. This year we are spending more than 12 billion.

So on health and education we are spending about $24 billion 800 million on those two subjects.

Now, can you think of a better place in the world to spend your money than to invest it in the bodies and the minds of our children?

You have given hope to so many of us. We think better lives are going to be the result.

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INTERNATIONAL CENTER FOR ADVANCED STUDY IN THE HEALTH SCIENCES

Statement by the President Upon Requesting an Amendment to the 1968 Budget To Finance Studies and Plans for the Center. May 10, 1967

In my Message to Congress in February on Health and Education, I announced my intention to seek funds to establish, at the National Institutes of Health in Bethesda, Md., an International Center for Advanced Study in the Health Sciences.

Today I am submitting to Congress an amendment to the 1968 budget, requesting $500,000 to finance architectural studies and plans for the Center's facilities. The facility will cost an estimated $4 to $5 million.

The basic objective of the Center will be to advnace medical research and knowledge worldwide. When fully operative, the Center will enable 30 distinguished scholars at a time to spend periods of 1 to 2 years of work at the Institutes concentrating on important areas of progress in health.

In addition to a continuing program of international conferences and seminars, two special fellowship programs would operate through the Center: (1) professorships supporting the international exchange of outstanding teachers and health scientists; (2) grants supporting the training of promising foreign scientists in U.S. laboratories, health agencies, and universities.

By the 1970's, the full program of the Center, including scholarships, stipends, and travel awards, will cost an estimated $12 million annually—including $1.2 million now spent each year for exchange programs of the Institutes.

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INTERNATIONAL CENTER FOR ADVANCED STUDY IN THE HEALTH SCIENCES

The President's Letter to the Speaker of the House Transmitting Amendment to 1968 Budget To Finance Plans for the Center. May 10, 1967

Sir:

I have the honor to transmit herewith for the consideration of the Congress an amendment to the request for appropriations transmitted in the budget for the fiscal year 1968 in the amount of $500,000 for the Department of Health, Education, and Welfare.

The details of this proposal, the necessity therefor, and the reasons for its submission at this time are set forth in the attached letter from the Director of the Bureau of the Budget, with whose comments and observations thereon I concur.

Respectfully yours,

LYNDON B. JOHNSON.

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SPECIAL INTERNATIONAL EXHIBITIONS

The President's Message to the Congress Transmitting Fourth Annual Report. May 31, 1967

To the Congress of the United States:

I am pleased to transmit the Fourth Annual Report on Special International Exhibitions conducted during fiscal year 1966 under the Mutual Educational and Cultural Exchange Act of 1961.

The primary purpose of the program—in which the Nation's economic, social and cultural achievements are exhibited in international fairs and expositions—is to build bridges of understanding between the United States and other countries of the world. Each exhibit is designed to show how our accomplishments relate to the capabilities and aspirations of the different countries. Because the exhibitions feature the products of American industries, they also contribute to mutually profitable trade relationships.

Since the program began in 1954, more than 100 million people—primarily in Eastern Europe and the developing countries—have witnessed 176 exhibits designed to help them understand, appreciate and benefit from American progress and experience.

During fiscal year 1966, the United States participated in a broad range of international events:

—*Trade Fair Exhibitions in Algeria, Ethiopia, Hungary, Iraq, Poland, Tunisia and Yugoslavia.*—These exhibitions dramatized our progress in mechanical equipment for farm and industry, educational techniques, electronics and space.

—*"Expo 67".*—During the year, plans were laid for our participation in the World's Fair which opened in Montreal, Canada, in April 1967. "Creative America" was chosen as the theme of this country's exhibit, which pictures American achievements in the arts and space technology.

—*Labor Exhibits at Trade Fairs in Ethiopia, Hungary, Iraq, Poland and Yugoslavia.*—The purpose of these exhibits was to project the true image of the American worker and the role he plays in the affairs of this Nation.

—*Special-Purpose "East West" Exhibits in the Soviet Union, Hungary, Poland and Yugoslavia.*—More than 2 million persons attended these exhibits, which featured the machinery of American industry, American architecture and the graphic arts.

As in past years, the program's effectiveness was the result not only of Government efforts, but also of the contribution of materials, time and talent by hundreds of private firms.

All Americans are indebted to them for their efforts to help carry America's message to the world.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 31, 1967.*

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EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

The President's Remarks at the Swearing In of Vicente T. Ximenes as Commissioner. June 9, 1967

Mr. Ximenes and his family, Senators Anderson and Montoya, Members of the Congress, Members of the Cabinet, distinguished guests, ladies and gentlemen:

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Today, our effort in the field of education is three times what it was 3 years ago. The budget this year has a little over $12 billion for education. Three years ago it had a little over $4 billion. Three times the effort in education than we had only 3 years ago.

Twelve billion dollars for education. That is twice as much money as Herbert Hoover had for the entire Federal Budget when I came to Washington.

In health—we must have sound bodies, if we are to have our minds take that education. We were spending a little over $4 billion for health 3 years ago. The budget this year is over $12 billion. Three times as much for the human body—everybody's body—not just the rich man's body, or the poor man's body, the brown man's body, the white man's body, the black man's body. Three times as much for health as we were spending 3 years ago.

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CAPITOL PAGE SCHOOL

The President's Remarks at the Graduation Ceremony in the Rose Garden. June 13, 1967

Capitol Page School graduates, Members of the Congress, ladies and gentlemen:

I want to say to the school graduates that I am very happy to congratulate you today on your graduation and to have this chance to personally welcome you here to the White House.

I suspect that some day, some other President may be greeting you as Members of Congress or as high officials of Government.

You have had a unique educational experience: unique in your country—and, as far as I can learn, unique in all the world.

You have been given a chance to see Government without glamor—to learn that ideals alone don't make programs; that dreams do not automatically become reality.

You have learned the political realities that go to making up our democratic system.

President Theodore Roosevelt best described those realities once when he said:

"It is not the critic who counts; not the man who points out how the strong man stumbles. . . . The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood . . . who spends himself in a worthy cause. His place shall never be with those cold and timid souls who know neither victory nor defeat."

That knowledge gives you a head start in life. It will be useful to you, whether your career is in public service or in private life.

I hope that most of you will consider Government as a career—either as elected officials, like your very able alumnus Senator Church, or in other fields of public service.

For the world that you enter very much needs your help today. For our Nation is called upon not just to maintain the blessings we now enjoy, but to multiply those blessings; to improve the world for all people—and to improve it for generations yet to come.

Doing that enormous job will always be difficult; sometimes frustrating—but always exciting and most of the time rewarding.

I think you are specially qualified for that high endeavor.

By watching the Congress at work, by helping the Congress at work—you have learned a lesson that a great leader of Congress for half a century, Speaker Rayburn, used to teach: "Ability is no good without energy."

And Mr. Rayburn, who had an old-fashioned faith in integrity, used to say this, too: "No one can destroy the confidence other men have in you—except you."

I congratulate you on arriving at this day in life—in earning this graduation. I wish you well. I have complete faith that the confidence that your parents, your teachers, your associates in the Congress, and all of us have in you will be well placed. It is good to have you here.

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PRESIDENTIAL SCHOLARS

The President's Remarks Welcoming the Scholars at the White House. June 13, 1967

Secretary Gardner, parents, friends, fellow intellectuals:

Welcome to the "generational gap."

Since I know that I am talking to some of America's brightest young people, I have no fear of asking any one of you where you stand in your class.

I run no risk of getting the answer that I heard from a young man who said, "Mr. President, I graduated in the upper five-eights of my class."

I am very proud of your accomplishments, but I hope you will remember what Albert Einstein once said: "Education is what remains when one forgets everything one has learned in school."

These days, if one chooses to believe all that is written about our young people in America, the prospect of having 121 teenagers as guests in this House can scare some people. They read about the alienated young radicals, and the rootless and disillusioned young people with long hair and short skirts.

Well, that doesn't scare me. I have just lived through several years with teenage girls in this House and it hasn't affected me one bit.

I have kept my "cool." I haven't "bugged out." I am still in "fat city."

I would like to apologize to you for keeping Mr. Thurgood Marshall from your meeting this morning. I don't know if you have had an opportunity to see the afternoon papers, but when Solicitor General Thurgood Marshall was supposed to be with you—he was with me.

Actually, in my office, I was informing him that I wanted him to accept an appointment to the Supreme Court of the United States. He has accepted that appointment, and—the Senate willing—he will become an Associate Justice to succeed Justice Clark.

Mr. Marshall is here with us today. Will you stand, please, Mr. Marshall?

One of the President's most important duties is attracting able and talented public servants to Washington.

So I am greatly pleased to have lured 121 potential public servants here this afternoon—even if your stay, you think, is brief.

I congratulate you.

I salute your teachers.

I pay tribute to your parents, who deserve a great share of your honor.

In the United States we have always prided ourselves for our leadership in free education. In every new community, the schoolhouse went up with the church as the first symbol of public obligation.

Yet, for all we have done, much more remains undone.

We have not learned to unlock the full promise of every American citizen. The tragedy of unused talent still plagues us, still affects millions of young people, still troubles our whole society.

For every Albert Einstein—how many immigrants worked out their lives in cotton mills, trapped by poverty?

For every Thurgood Marshall—how many talented Negro Americans never escaped the prison of the sharecropper?

For every Harry Truman—how many promising young men vanished at 16 into the stores, the factories, and the mines?

Our obligation is to build an educational system which will discover and develop these lost Americans.

I am proud to say that our Federal educational effort is three times as much this year as it was three years ago. That is progress. We are spending this year over $12 billion for education in this country. Three years ago we were spending $4 billion.

So someone, somewhere thinks education is important and is doing something about it.

We have no great guarantee that knowledge brings goodness or wisdom. Knowledge must be bound to a spirit of service. "Though I . . . understand all mysteries, and all knowledge . . . and have not charity, I am nothing."

So, I would commend to you, beyond a life of scholarship, a life of service. More specifically, a life of public service.

I have said this so many times that it is trite and particularly members of my Cabinet don't like to hear it. When I was a yomg man my ambition was to be a preacher, a teacher, or a politician—all three—because they would give me an opportunity to serve others and because I could have some sense of achievement, of doing things for human beings that you never get out of a paycheck.

So I want to commend to each of you some very serious thought—to ask yourselves, "What can you do for your country and, more important, what can you do for your fellow human beings in the world in the allotted time that you have here?"

It is popular today to talk of "scholars in politics." More and more leaders of thought are becoming leaders of action in this country.

That is a movement that I encourage—a movement that I hope all of you will join, because it does us no good to dream dreams if they never come true.

Never before have we needed, in government, the best minds so urgently as we need them today.

Never, I think, have the rewards been so great.

As the stern figure of Uncle Sam said on the old recruiting poster—you remember that fellow with the tall hat, red, white, and blue—which said, "I WANT YOU."

Well, I want you:

—to serve on the school board;
—to serve in the city hall;
—to serve in the State House, and—yes—in the White House.

You need not wait for several years to develop that interest and that involvement.

You can help now: I want you to help encourage the brightest candidates for public office; to help run political campaigns; to help generate interest in public issues— the subjects of our time, the questions that will determine whether we live or whether we die, whether we have peace or whether we have war.

I do not believe that young citizens have a monopoly on brains. Nor do I believe that they have a monopoly on virtue.

But I do know that they have the greatest share of energy, enthusiasm, and courage in our land.

If you are looking for energy, enthusiasm, courage, and fearlessness, you can find it with our young people.

I have seen it in Vietnam. Much to my sorrow, I see it there every day.

I have seen it among the White House Fellows. I have seen it in the Washington summer interns—several thousand we have brought here.

I have seen it in the Peace Corps, VISTA, and the Teacher Corps.

And, because I see it in your achievements—and because I see it in your faces here in the East Room of the White House this afternoon—I welcome you here. I plead with you to get involved. I hope that on you next visit to Washington, you plan to stay for a long, long time—

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STATUS OF AMERICAN MUSEUMS

The President's Letter to the Chairman of the Federal Council on the Arts and the Humanities Requesting a Thorough Study and Recommendations by the Council. Dated June 20, 1967. Released June 21, 1967

Dear Mr. Ripley:

America's five thousand museums are among our most precious cultural and educational resources. Their collections, their trained staffs, and their facilities contribute immeasurably to the enrichment of the nation's life and to educational advancement at every level.

Not only do imaginative museum exhibits excite the curiosity of millions; many scholars—in science, in the arts and the humanities—rely upon museum collections for their raw material.

Attendance at U.S. museums has already passed 300,000,000 visits a year. In many places, inadequate museum budgets and facilities are under severe strain. In the future, the nation's museums will be expected to reach and serve additional millions. Accelerated research programs will cause more and more scholars to seek access to museum collections.

Our museums have shown their willingness to join with other institutions to promote the "increase and diffusion of knowledge among men." Certainly they should have the wherewithal to do that great work effectively.

For this reason, I am requesting the Federal Council on the Arts and Humanities to study thoroughly the status of American museums and report to me. What is their present condition? What are the unmet needs of America's museums? What is their relation to other educational and cultural institutions? I hope that the Council will recommend ways to support and strengthen our museums.

The Federal Council is the appropriate body to consider the status of our museums. Its member agencies should provide all possible help to the Council as it performs its work.

I look forward to receiving the Council's recommendations.

Sincerely, LYNDON B. JOHNSON.

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OFFICE OF ECONOMIC OPPORTUNITY

The President's Message to the Congress Transmitting the Agency's Second Annual Report. June 22, 1967

To the Congress of the United States:

I am pleased to transmit the Second Annual Report of the Office of Economic Opportunity.

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This report provides heartening evidence of the substantial progress this Nation is making on the entrenched patterns of poverty.

In fiscal 1966:

—733,000 young children from poor families were given a chance to make a decent beginning in life through the Head Start program.

—528,000 jobs were made available by the Neighborhood Youth Corps, enabling disadvantaged youths to stay in school or prepare for meaningful employment.

—57,430 young people, once lost and forgotten in our society, found new confidence and new skills with the Job Corps.

—More than 20,000 high school students from poor homes received the educational help they needed to go on to college through Upward Bound.

—More than 335,000 adults began to overcome illiteracy with basic educational instruction.

—3,592 VISTA Volunteers helped communities across the land undertake needed self-help projects.

—More than 1,000 lawyers provided legal services in 43 States, showing that the law can serve the poor as well as it serves the rest of society.

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The Teacher Corps

Statement by the President Upon Signing Bill Providing for the Enlargement and Three-Year Extension of the Corps. June 29, 1967

This morning we celebrate the success of a revolution.

This quiet revolution has gone on this past year in 275 schools throughout the United States. It is based on a simple idea: that the wisdom, the dedication, and the plain goodness of young Americans could be harnessed to help America's under-privileged children.

This idea was so sound that it has withstood the fiercest buffeting and the strongest challenge.

There were times in the past year when the fate of the Teacher Corps looked gloomy indeed. The fact that the Teacher Corps will live is only partly due to the legislators of both parties who reasoned together to enact a meaningful bill. It is only partly due to the tireless energy of Richard Graham and the Teacher Corps staff in Washington.

The lion's share of the credit goes to the 1,200 Teacher Corps members all across America who devoted this year to teaching and to learning how to teach. They won their battle in the classrooms. The idea spread, it grew, and it conquered.

There are those who say that the Teacher Corps is a small program, so far reaching only 275 out of 100,000 schools in America. They are right. The Teacher Corps is as mall program—just as the Peace Corps was a small program to begin with. But that small program has left the mark of America's idealism all over the world.

I am signing the bill this morning, because time is short. Before tomorrow night, when the supplemental appropriations expire, contracts must be let, payrolls met, and commitments made. I am asking Commissioner Howe and Director Graham to work round the clock. And I am calling on young dedicated Americans to come forward and apply for this great adventure. By fall, we hope to double the size of the Corps.

This act I sign—the Education Professions Development Act of 1967—is a basic building block for our schools and for our Nation. For no school—no matter how fine the building or how fancy its equipment—means as much as the men and women who work in it. Not just the teacher, but the principal, the librarian, the school nurse, and the social worker are vital to our children's education. We need to attract our most talented college graduates and train them for the most challenging work they could possible undertake—to light the spark of learning in a young child.

This act will help us to do that.

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Federal Assistance Programs for College Students

Statement by the President on a Report From the Secretary of Health, Education, and Welfare. July 8, 1967

During the school year just ended at least 900,000 young people received help from four federally supported programs to pay their college educational expenses, Secretary of Health, Education, and Welfare John W. Gardner reported to President Johnson today.

Secretary Gardner told the President that during the next academic year these programs are expected to assist an estimated 1,175,000 undergraduate and graduate students in colleges and universities. This is nearly one-third more than in 1966–67, and more than double the 500,000 students helped during the 1965–66 academic year.

"These figures," President Johnson said, "are dramatic evidence of the desire and ability of this country to help its young people attain their aspirations. The statistics suggest that in only one generation we can attain a once impossible goal: that every American boy and girl will have the opportunity to move up the educational ladder as far as individual desire and ability permit."

If they follow a pattern established during the past few years, many of these students will be attending college with a combination of a loan, a grant, and a job. This assistance is available for study in any field.

The Educational Opportunity Grants program, which began operation in the fall of 1966, is the newest of the federally supported programs. Outright grants of $200–$800—matched by the college—are made to students who, without this help, could not attend college. Last year 134,500 students were awarded grants totaling more than $58 million. Next fall an estimated 221,000 students will receive grants totaling $110 million.

This is not a scholarship program as such, President Johnson emphasized. The awards are intended for students who generally have come from the poorest schools and need help to catch up with their better prepared classmates. The program is the first in American education intended specifically for disadvantaged young people who have the ability to benefit from higher education.

Since January 1965, some 300,000 students have had an opportunity to help themselves through school under the College Work-Study program. They have earned a total of $228 million.

During the past college year 184,000 undergraduate students earned more than $150 million. Their number is expected to increase during the 1967–68 school year to more than 200,000 and their earnings to more than $164 million.

The students work 15 hours a week while in school and can work up to 40 hours a week during summer or other vacation periods. They work on-campus in libraries, laboratories, or in any capacity that advances the purposes of the college. Off-campus, they work in public or nonprofit organizations such as hospitals, schools, or community action programs.

The National Defense Student Loan program during the fiscal year 1967 alone, made $190 million in Federal funds available to about 416,000 needy students. Next year the same sum, together with expected collections and college contributions, will help about 419,000 students.

These loans are made on generous terms. Interest at 3 percent does not accrue until 9 months after the borrower has ceased his studies, and a 10-year repayment period is provided. Borrowers who become teachers are eligible for cancellation of all or part of their loans. Through fiscal year 1966, more than 298,000 student borrowers had become teachers, canceling a total of $24.7 million.

The Guaranteed Loan program, which got underway last summer, has thus far provided about $360 million in loans from private commercial sources to an estimated 430,000 students. For students whose adjusted family income is less than $15,000 a year, the Federal Government pays the interest. Repayment does not begin until after the student leaves school. For the 1967–68 college year, the program is expected to benefit more than 675,000 students by providing loans totaling more than $570,000 million.

The President also called attention to the "Talent Search" program, which began last summer. Under 49 contracts with the Office of Education, consortiums of colleges and universities, departments of education, and organizations of social concern began a nationwide search for talented young people, to tell them of new opportunities under Federal and other programs for higher education and training, and to convince them of their own worth. During the coming year the program will expand and continue its search throughout rural America and the slums of the cities.

"There is no telling how many thousands of young people, now and in the future, will be reached and rescued by this program," President Johnson said. "But we do know that thousands are in college right now as a result of it."

President Johnson called upon the American people to aid in the nationwide search for talented young people who need help, to inform them of opportunities awaiting them, and of the larger role they can play in the American future.

"If every American," he said, "would keep an eye out for the boy next door, or the girl down the road, more of our Nation's talent would be uncovered and developed."

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GUARANTEED LOAN PROGRAM FOR COLLEGE STUDENTS

The President's Letter to Senator Lister Hill and Representative Carl Perkins Recommending Measures To Expand the Program. August 9, 1967

The Guaranteed Loan Program authorized under Title IV–B of the Higher Education Act of 1965 is now entering its second full year of operation. During the past 12 months about $400 million in loans to 480,000 students have been made and guaranteed by a State or a nonprofit private loan guarantee agency in each of the 50 States and the District of Columbia and Puerto Rico. More than 13,000 lenders, including commercial banks, savings and loan, and credit unions are participating.

The program is designed primarily to ease the burden of increasing college costs for middle-income families by providing long-term credit assistance. It should be distinguished from NDEA Title II, College Work Study, and Educational Opportunity Grants which are directed toward students from low-income families who must have assistance if they are to get a college education.

During the first year of activity, a number of problem areas were identified which seemed to restrict accessibility to these guaranteed loans on the part of all the students and their families who desired them. Our review and analysis of these problems has led us to recommend the following changes for strengthening and improving the program:

A. Extension of State guarantee capability.

As originally enacted, Title IV–B contained two plans for underwriting commercial loans to students. The first of these provided for an allocation to the several States of directly appropriated "seed money" deposits to be used to help establish or strengthen existing State guarantee funds. In 1966, $17.5 million was appropriated for this purpose to be allocated over a 3-year period. Additionally, in 1967, 14 States have appropriated in excess of $20 million to augment their own guarantee funds.

The second plan contains authority for the U.S. Commissioner of Education to issue certificates of insurance backed by credit of the United States to underwrite loans if and when he determines that eligible students are denied access to a loan guarantee.

The existence of separate parallel authorities, one grounded in State administration and the other in Federal administration, has led to a lack of a clear definition of the role and responsibility of each State in this broad program. For this reason, and to obtain maximum use of guarantee funds already on deposit from whatever source derived, we are proposing to weld the State guarantee-fund concept and the credit of the Federal Government into a single re-insurance authority. In this way, existing loan guarantee funds (totaling nearly $60 million in State and Federal funds) could be, in effect, re-insured 4 times to create a new reserve capacity of $240 million which in turn will provide guarantee capability for $2.4 billion in new loans. This expansion has the added advantage of providing immediate additional guarantee capability, since a guarantee fund now exists in or for every State.

Also, we propose to continue State administration of the program through an amended agreement with each State government or loan agency. Income from investment of Federal "seed money" plus a portion of the insurance premium, to be set at ½ percent per annum, would be turned over to the State administrative agency to help cover administrative expenses. The State, at its own option, may elect to subcontract administration of the program to a public or private nonprofit agency equipped to do the job.

B. Future authorization of "seed money."

To further enhance the expansion of the program, we propose extension of authority for appropriation of "seed money". This authority would be limited to $12.5 million in fiscal year 1969 and would require an equal matching deposit by each State. Such matched funds, totaling $25 million would also be subject to the 4:1 multiple effect of the re-insurance program, creating a maximum of $100 million in guarantee reserve which in trun could support an additional $1 billion in loans.

Effective operation of these two authorities depends, in the long run, upon State appropriation of guarantee funds. Those States which have already made heavy appropriations would not need to provide additional funds for some years. States which have provided minimal or no appropriations would need to provided additional State funds in possibly two or three years.

C. Placement and conversion fees.

On June 15, Secretary Gardner transmitted to the Speaker of the House and to the President of the Senate, a series of recommendations for improvement of the Guaranteed Loan Program which were based on the work of a committee headed by Under Secretary of the Treaury, Joseph W. Barr.

In order to extend more equitably the benefits of the loan guarantee, we are proposing that the loan placement and conversion fees be paid by the Federal Government for services rendered by the lender whether or not the student also qualifies for the interest subsidy.

D. Interim use of Federal Insurance.

Traditionally, the period from late July to early September—immediately preceding the beginning of the college year—has been the peak demand period. In a few States, the original allocation of Federal advance funds has been totally encumbered, and there are no additional guarantee funds available. For the weeks immediately ahead, the only means available to underwrite loans in these States, is that of the Federal insurance certificate. Immediately upon enactment and State implementation of the re-insurance authority recommended above, the need for direct Federal insurance will have disappeared. Notes insured by the Federal Government will be turned back to the State agency for servicing so that lenders in the State will only be dealing with a single program.

In conclusion, I would point out that the next few weeks are critical insofar as both lenders and student borrowers are concerned. Several hundred thousand students and their families are looking toward these guaranteed bank loans as a source of meeting fall semester expenses. For this reason, early consideration of these recommendations by your committee is of great importance.

Sincerely,

LYNDON B. JOHNSON.

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AMERICAN EDUCATION WEEK, 1967

Proclamation 3799. August 12, 1967

By the President of the United States of America a Proclamation

The future of America is written on school blackboards and in student notebooks. The quality of thought in our classrooms today will determine the quality of our lives a generation hence.

This year more Americans are in school than ever before in our history. Three out of every ten are occupied—as students or teachers—in the process of education.

Thirty-seven million children—1.4 percent more than last year—are enrolled in elementary schools. High school enrollments are up 3 percent more than last year—to13.7 million. College and university enrollments have increased 8.3 percent from last year—up to 6.5 million.

Dropout rates are falling. About three out of four young people finish high school today. The 1968 high school graduating class will be the largest in history, and about 40 percent of these graduates will go on to college. Every sixth young American is earning a bachelor's degree.

Our people know that the education of our young people is our best investment. In just two years, Federal contributions to education at all levels have nearly tripled. And we have not rested, and will not rest until we

—bring college within reach of every American,
—make vocational training available to all who need it,
—provide education and training for adults who missed it in their youth,
—improve the quality of education for all.

To call attention to this challenge, to muster the support of all the media of communication, public officials, business leaders, parents, educators and students, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the period of November 5 through November 11, 1967, as American Education Week, and I call upon the American people to celebrate the achievements of their educational system, and to dedicate themselves to making it still more responsive to our Nation's needs.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of August in the year of our Lord nineteen hundred and sixty-seven, and of the Independence of the United States of America the one hundred and ninety-second.

LYNDON B. JOHNSON.

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INTERNATIONAL EDUCATIONAL AND CULTURAL EXCHANGE PROGRAM

The President's Message to the Congress Transmitting the Annual Report on the Program for Fiscal Year 1966. August 14, 1967

To the Congress of the United States:

I am pleased to transmit the Annual Report on the International Educational and Cultural Exchange Program conducted during fiscal year 1966 under the Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87–256, the Fulbright-Hays Act).

This report covers a period which saw the completion of two decades of international educational exchange and the laying of new foundations for its future. The groundwork done this year led eventually to the passage of the International Education Act of 1966, a milestone in our efforts to improve our citizens' knowledge of their world.

Today the United States looks ahead confidently to its relations with the rest of the world. It is a view in which there are great hopes and many hazards. Were our goals no more than materialistic, if we sought no more than power and material abundance, if we gained no more than scientific breakthroughs and military superiorities, ours might soon become a nation spiritually deprived and psychologically estranged from much of the world around us.

But it is to people, not things—to the warmth and generosity of the American people, not to material things, that we turn in order to break the barriers of misunderstanding that forever threaten to divide us from our fellow men. The international exchange of students, teachers, scholars and leading specialists is one of the nation's most effective means for dispelling ignorance, prejudice and international suspicion.

The educational and cultural exchange program is a relatively small but highly effective instrument in international relations. It enlists the participation of talented individuals who constitute a creative and influential minor in society. Henry Adams said in his *Education*, "The difference is slight to the influence of an author, whether he is read by five hundred readers or by five hundred thousand; if he can select the five hundred, he reaches the five hundred thousand."

The program is not a "crash" one, but is designed, like education itself, to plant and cultivate the seed of understanding, which, having germinated and taken root, quietly flourishes.

Too often today men are tempted to think, in Emerson's phrase, that "things are in the saddle." Educational and cultural exchange reminds us that it is not on things—not on machinery and gadgetry—but on the minds and hearts of men that the human fate depends. Our educational and cultural exchange programs are *person* oriented. They are our American testimonial to the belief that, though mountains cannot meet, people always can.

I commend this report to the thoughtful attention of the Congress.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *August 14, 1967.*

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URBAN STUDIES FELLOWSHIP PROGRAM

Statement by the President Upon Signing the Bill Extending the Program. August 19, 1967

The bill I sign today illustrates another aspect of the Federal Government's response to America's urban needs.

During the past few years we have taken a series of steps toward meeting the resource gaps in American cities. We have proposed a Model Cities program to rehabilitate older cities and to reclaim the opportunity for residential urban life. We have proposed a Rent Supplement program to meet our promise of a decent home for all Americans. We have proposed a research and development program to provide more sophisticated techniques for dealing with the problems facing our cities. We must move forward with these commitments.

But all this legislative progress will be barren without the underlying commitment of human resources—people with talent, with advanced training; people equipped to grapple with the physical, social, and economic problems of cities.

At the very time we are being confronted with urgent demands in our cities, we face a severe shortage of persons equipped to deal with the growing complexities of urban development. This shortage is so critical that it challenges our ability even to maintain past levels of competence, much less to meet the fast-growing demands of today and tomorrow.

In March 1967 there were between 1,500 and 1,700 vacancies for urban planners of various kinds. Today's universities are graduating less than half that number.

Our universities tell us that there are two or three times as many qualified applicants for urban studies programs as the available fellowship programs can support. Many of these applicants, unable to find financial assistance in the urban development field, will be forced to look elsewhere.

Standing alone, this Urban Studies Fellowship program will not close the manpower gap of qualified professionals in urban affairs. But it will help—and it does show the way. Besides directly aiding the recipients of fellowships it will stimulate universities to expand their urban affairs programs, and it will encourage other universities to initiate them. Also it will, hopefully, encourage other fellowship programs, both public and private.

Last year, as a part of our response to urban needs, the Department of Housing and Urban Development took the first step toward meeting this urban manpower shortage. Ninety-five fellowships for full-time graduate study, in 40 public and private nonprofit institutions of higher education, were awarded to students for the 1967–68 academic year. The awards were made by Secretary Weaver upon the recommendation of the Urban Studies Fellowship Advisory Board composed of nine members from universities and national institutions.

Reflecting our needs to cope with the growing complexity of urban problems, awards were made for study in such fields as municipal administration, urban sociology, city and regional planning, urban law and urban affairs with an emphasis on the social and economic problems of urban development. The thrust of these programs is toward coordinating the social, economic, and physical resources available in solving urban problems.

These are the crucial skills in determining the future of our cities. With the development of talent on a broader scale than ever before possible, our urban problems will, we believe, appear somewhat less formidable. America has the resources, and the will, to solve her urban problems. Increasing our capacity to solve them is the first important step.

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College Work-Study Program

Statement by the President Upon Signing Bill To Strengthen the Program. September 7, 1967

It is with great pleasure that I sign the college work-study amendments—which will improve a novel and far-reaching educational program.

Since 1964, when the first Economic Opportunity Act was passed, this new educational program has helped more than 300,000 students—most of them from poor families—to complete their college education. Next year, more than 200,000 students will earn over $164 million as they work their way through college.

Under this program, needy and deserving college students work part time, on campus and off—in schools, libraries, and hospitals, in State and local government, and other projects. The Federal Government helps underwrite this employment in 1,700 institutions of higher learning, and 2,500 local government and school enterprises.

This act improves the work-study program in two important ways:

First: The new legislation provides that a student employee shall work an average of 15 hours per week each semester—rather than specifically requiring 15 hours of work each week. This allows a student to reduce his time on the job during testing or examination periods, and make up the loss later.

Second: The original act specified that the Federal share in the program—90 percent—would be reduced in one step this year, to 75 percent. The new legislation in order to reduce the financial impact of the reduction on the employers of these students, phases the reduction in three steps: to 85 percent this year, 80 percent in 1968, and 75 percent in 1969.

The student who works to pay for his education does more than help himself financially. He builds resources of character, self-reliance, and independence that make his degree even more valuable to himself and to the country. And every student in the program contributes importantly to his college and his community.

In the past few years, we have embarked on an historic campaign to give every citizen an equal chance in America—regardless of his birth or his race or his financial status. This law is one way of moving that great effort forward. Its influence in America will be a lasting tribute to the 90th Congress.

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NATIONAL ADVISORY COUNCIL ON EDUCATION PROFESSIONS DEVELOPMENT

Announcement of Appointment of the National Advisory Council on Education Professions Development. September 22, 1967

President Johnson today announced the appointment of the National Advisory Council on Education Professions Development.

In making the announcement the President said, "This act, one of the significant achievements of the administration and the 90th Congress, will greatly contribute to the Nation's ability to solve one of the key problems of education: the development and enlistment of better equipped teachers for our schools and colleges. Teachers are central to the role of education in our country. And education is the very base of an informed and strong Nation."

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VOCATIONAL REHABILITATION

The President's Remarks Upon Signing the Vocational Rehabilitation Act Amendments of 1967. October 3, 1967

THE PRESIDENT. *Secretary Gardner, Under Secretary Cohen, Mrs. Switzer, Members of Congress, ladies and gentlemen:*

Eight years ago in Portage, Pennsylvania, a 20-year machinist dived into a swimming hole and struck his head. Thus, he was paralyzed for life.

Even before that accident, he was handicapped; he had been partially deaf since his birth. Now he was not only deaf, but he was sentenced to another kind of life imprisonment. In many ways, that seemed to be a very, very hopeless case.

Today, that "hopeless case" is a very successful draftsman. He makes a good living with a design firm near Pittsburgh, Pennsylvania. He pays his taxes. He is a member of the community—instead of its helpless ward.

All of that is true because he was helped, helped right from the start by a counselor from the Pennsylvania Bureau of Rehabilitation.

The law that I am going to sign today makes such stories as this possible. It brings them into reality. Thousands of them. Half a million exactly in the last 4 years. Since Woodrow Wilson's day it has helped more than 2 million Americans who—in one way or other—would be equally "hopeless cases."

As much as any law on the books, this law reveals what great possibilities every person has—and what, I believe, a great heart we have in America.

Last year, we helped restore 173,000 people to useful lives. Three-fourths of them had been unemployed—20 percent of them were already on welfare.

Today, every one of them are taxpayers. This program reaps five tax dollars for every dollar that we sow. And measured in human happiness, its value is beyond all of our counting.

So this moment is more than just a ritual. Today we express again our purpose in America: fulfillment for the individual. We aim to knock down every barrier that keeps a child or a man from realizing his full potential in our country.

The history of these years, I believe, when it is written, will be the story of how we in America accomplished that goal.

A rather bitter writer once gave this definition of history: "The account, mostly false, of events, mostly unimportant, which were brought about by rulers, mostly knaves. * * *"

I disagree with him on all counts.

History, I am convinced, will remember these years as a great awakening in America.

In these years, we discovered poverty in the midst of plenty—and we did something about it—not as much as we would like—but we did all that we could get a majority to do.

If historians seek a name for this age in the United States, I hope that they will call it the Age of Education.

Our Government guarantees to all of its citizens all the education that he or she can take.

In the past 6 years, the number of young people going to college from poor homes has risen by more than 12 percent.

In 6 years, the number of high school dropouts has dropped—from 25 percent to 18 percent of our young people between 16 and 24.

I regret we have 18 percent. But I would much rather have 18 than 25 that we started with.

If men in the future want to suggest the range of our achievements, I think they could do it in only two sentences:

"The American people in 3 years, multiplied their commitment to health and education 4 times over. They passed more laws and they committed more funds to the education of our children—and to the health of our people—in 3 years than in all the previous history of America put together."

Junior colleges are now being founded in America at the rate of one per week.

By 1965, new Federal programs were helping 500,000 young people go to college and without that help, they might not have had a chance. Next year—I want all of you to get this—we will be helping 1,200,000; so we have doubled the number that we helped go to college—more than doubled it in the last 2 years—500,000 to 1,200,000.

Those to me are not just numbers. They are miracles. They represent human lives which are being changed and human lives which are being enriched.

They mean that a new idea is already at work here in America.

Once, we thought of rehabilitation as something for the physically handicapped. This law is evidence of that. But now we have learned that other handicaps yield to the same treatment. The handicap of ignorance for example. Mental handicaps are another. The handicap of poverty is another.

Rehabilitation, in fact, has become a basic idea in our country. We act on the belief that every man—no matter what his color, no matter what his bank account, no matter what his handicap, no matter what his IQ—has abilities which America needs.

That is a new idea. But it is a great idea. It is like discovering a new country right in our midst—the territory of human promise. That idea promises not more welfare, but more well-being for all—well-being for our people—the people we have selected to serve.

So we come here to the East Room of the White House this afternoon to continue this program. To continue it—and to add much to it that is new:

This law extends rehabilitation service to migrant laborers—the poorest among us, the most needy among us.

It increases Federal support for rehabilitation here in our Nation's Capital.

And finally, it strikes at one of the most baffling and heartbreaking handicaps that we can imagine: the double handicap of deaf-blindness. For years, that problem seemed too difficult for us. Now, by establishing a National Center for Deaf-Blind Youth and Adults, we hope to change all of that.

To all the supporters of this law in Congress, to all the Members of the House and Senate who are here this afternoon on behalf of all the Nation, I want to say the Nation owes you a debt of thanks.

I would like to call each of your names. I am sure I would overlook some and make some of you offended. But I must refer to Senator Hill, who is always in the limelight to anything that is good for health and education in this country—to Congressman Perkins, to Congressman Daniels, and to their committee members.

They gave this law dedicated—and bipartisan—support.

In the next few years, this law will turn hope into achievement for thousands of our people.

And it will prove something to us and to history: that in America there is no such thing as a "hopeless case."

Before I conclude—because I couldn't go to the Capitol yesterday—I want to pay my respects, my very great esteem and affection to that grand young man who was 90 yesterday, Carl Hayden.

I have never known a better public servant. I have never known a better human being. And I have never had a better friend. I am so glad he could be here today.

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INTERNATIONAL CONFERENCE ON THE WORLD CRISIS IN EDUCATION

The President's Remarks to Delegates to the Williamsburg Conference.
October 8, 1967

Dr. Perkins, Dr. Gardner, most distinguished ladies and gentlemen:

I know that all of you share with me the feeling that we are all deeply in the debt of Dr. Perkins for his leadership and this memorable conference which you have launched here. I think in the years to come it will be remembered as one of our most necessary and desirable movements of this period.

It was in this town almost two centuries ago that a revolution began which swept around the world. And it was here that Thomas Jefferson submitted to the Virginia legislature a "plan for the diffusion of knowledge."

The men who founded this country were very passionate believers in the revolutionary power of ideas.

They knew that when a people commit themselves to learning, a revolution begins which will never stop.

Now, here once again, the winds of change seem to be blowing. And once again, we have come here together to consider plans for spreading knowledge.

I am no historian. Certainly I am no prophet.

But for a good many years I have been an observer and a participant in some of the affairs of the world. I have watched man at work; I have seen his creative power—and I have seen his awesome talent for destruction.

In this century, during my lifetime, man has spent literally trillions of dollars on the machinery of death and war. The cost of World War II alone has been estimated at $1 trillion 154 billion—taking no account whatever of any property damage.

In those years, nearly 100 million people have died in the maiming and disease and starvation which came with war.

Yes, we can take no pride in the fact that we have fought each other like animals. And that is really an insult to the animals who live together in more harmony than human beings seem to be able to do.

There are other facts that trouble me, too, tonight.

In the world in which we live today, 4 adults in 10 cannot read and write. That is one of the reasons you are here.

There are whole regions in this world in which we live where 8 out of 10 people are illiterate.

Even now, most people end their lives unable to write "cat" or "dog."

These are most disturbing facts in the 20th century, in this the richest age that man has ever known.

They are facts which I think cry out "Shame on the world, and shame on its leaders."

A sarcastic writer once gave this definition of history: "the account, mostly false, of events, mostly unimportant, which were brought about by rulers, mostly knaves."

Naturally, I do not agree with all of that statement.

If future historians, as I said the other day, should seek a name for this period in America, I hope that they will give consideration to calling it the age of education.

If our children's children want to measure what we tried to achieve, I hope they will remember one thing:

The American Government in only 3 years multiplied its commitment to education and to health four times over. Congress passed more laws and committed more funds to education and health in the last 3 years than in all previous history.

The Federal commitment for education and training alone has risen from $4 billion 700 million in the United States in 1964 to $12 billion 300 million in the United States in 1967.

We plan to emulate this commitment in the American program to help others fight these age-old enemies of ignorance and disease.

In 1966, about one-third of our entire economic aid program was directed toward agriculture, health, and education. This amounted to more than $800 million in 1 year.

This year our budget calls for $1 billion 300 million for these three objectives. That is about half of the entire United States aid program for agriculture, for health, and for education.

We may be wrong, but as a former schoolteacher of a small rural school, I have had the feeling that if we could help the people of the world to maintain a good, sound body, and if we could provide them with appropriate, proper education, with a good mind and a good body, they could build their own steel mills.

We have been trying to concentrate our energies in that direction—in the direction of educating the mind, improving the body, and providing food for their sustenance.

When other forms of United States assistance are added to America's program for foreign aid to agriculture, education, and health, namely, our food program, that exceeds some $3 billion this year. But when it comes to education, every nation—including this one, I think—is still very much a developing country.

We have so much to learn from others. That is one of the primary reasons you are here—to help us assort what there is to do and to make an agenda for it. We firmly believe that the knowledge of our citizens is one treasure which grows only when that treasure is shared. So we must find ways to extend the treasure to lands where learning is still the luxury of the few.

One lesson of our experience in economic and social development is quite clear: Education is the greatest single bottleneck. Development means that men and women can put to use in their own societies, in their own lives, in their own time, what modern science and technology can provide to help them. But that requires education.

At the level of basic education the truth of the matter is that we may be falling far behind. It takes so long these days to train a teacher, and yet it is so relatively easy to produce a student that we are not even holding our own in basic literacy.

At higher levels of education we are making progress. This year there will be 1 million young American boys and girls in the colleges of this country who will be there because of the legislation that we have passed providing for scholarships, grants, and loans during the last few years.

But we have only just begun to exploit fully the possibilities that modern technology opens to us.

I can see no reason in the world why modern technology cannot, for example, permit the best professor in the world to teach students all over the world in a field where the vocabulary and the concepts and the standards are uniform; and this is true of many fields, I think—science, natural and social.

Moreover, our capacity to produce microfilm and distribute information should make it possible for a young scholar or researcher at any place in the world to have the same basic library facilities that are available in the British Museum, or the Library of Congress, or at one of the great university libraries.

Therefore, I would like to suggest to you this evening some consideration be given to some of these challenges: How can we use what we already know about educational television to accelerate the pace of basic education for all the children of the world? How can we use modern technology to economize on that most essential and that most needed educational resource: the good teacher?

How can we make the good teacher available to the maximum number of students in the world through television?

How can we make the best scholars and teachers in the world available to all universities—wherever they may be—through satellite communications?

So often have I thought of the wonders that could have been brought to those young, struggling minds with warped bodies that I taught back when I was in that little rural school on the United States-Mexican border if we had had satellite communications, and the best scholars and best teachers had been able to invade those classrooms and expose those Mexican children to the English language?

How can we use, too, the latest methods of communications and microfilming to provide those who are doing scholarship and research everywhere the best library facilities that are anywhere?

We seem to need more facts. We seem to need to put a program together.

I was quite impressed with a statement in your conference document which said: "If the world's financial systems were forced to function with no better facts than those which educational systems live by, a financial panic would swiftly seize all capitals of the world."

We could have that in the offing anyway.

That is one of the reasons I thought it would be very desirable that we have this conference this year. It gives me a great deal of satisfaction, as Dr. Perkins observed, to know that you have come here upon our invitation, and that you have come here to chart an education strategy for the future.

I should not be presumptuous enough to try to outline that strategy. I content myself with observing a contribution here and there.

If I may suggest another idea, you might consider calling on the United Nations to set a target time for reviewing our goals and planning new progress, and make an international education year for the world.

Don't limit your efforts. Here, and when you leave this place, I hope that you will take these plans and really face up to the tough questions.

The real tough question of all is, how can we persuade the governments of 131 other nations to make it their primary objective to give every boy and girl born in the world—anywhere—all the education he or she can take?

How can we get the world's leaders to convert man's tragic will to destroy into a determination to build?

How can we shape a world in which men employ their minds in projects of peace—instead of sacrificing their all, their bodies, their lives, on a field of battle?

Can we train a young man's eyes to absorb learning—as eagerly as we train his finger to pull a trigger?

No gathering that has ever assembled has a subject that I think is more urgent than yours—more compelling, more necessary, and more productive.

Here tonight you leaders of educational thought from more than 50 nations—almost half of all the nations of the world—must realize that you are dealing with the dynamite of our times.

Thomas Jefferson said that we should spread the disease of liberty around the world when this Nation was very young. The men of Jefferson's day associated this place where you are meeting tonight with liberty, and also with learning.

Tonight in Williamsburg, I am pleased to observe that you apparently have the same concern. I hope our commitment will be as great as theirs—and I hope that your achievements will be as worthy of remembering.

One more word, if I may be personal.

A President must call upon many persons—some to man the ramparts and to watch the faraway, distant posts; others to lead us in science, medicine, education, and social progress here at home.

I especially want to commend this great educational leader—Dr. Perkins—for having answered every call that his country has made, and having apparently done it quite well here.

Thank you.

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HEALTH MANPOWER

Statement by the President on Announcing Plans To Provide Medically Trained Military Veterans With Job Opportunities in Civilian Health Occupations. October 16, 1967

President Johnson today announced plans to give discharged military medical men and women an opportunity to fill critical shortages in the health manpower field.

The proposal is a part of the broader effort, first announced in August, to help recently separated military service veterans make a smooth transition into civilian life. State employment service agencies are now intensifying employment services toward this end.

Under the medical occupations phase of the nationwide program, discharged veterans will be offered either job opportunities in the health field or training and education to upgrade their abilities.

Project Remed, to recruit, retrain, or reemploy medics in civilian health occupations, was launched this month.

It is based on two facts:

—Some 60,000 medically trained men and women are discharged from military service every year.

—There is a need for an estimated 300,000 additional health workers now to provide optimum patient care and, unless steps are taken to counter the trend, population increase alone will enlarge the shortage.

"We must not waste this valuable manpower resource when the need for trained workers in our hospitals, nursing homes, and other health facilities is so great," the President said.

"The benefits of this program are twofold: We offer civilian job opportunities or training to these service men and women and we help to meet the demand for the best in medical care and service," he said.

The program was developed in cooperation with State and local agencies by the Department of Health, Education, and Welfare, the Department of Labor, the Department of Defense, and the Veterans Administration.

The program operates in this way:

—At separation centers, each veteran fills out a form developed by the Veterans Employment Service of the U.S. Employment Service asking his military occupation and skill.

—A copy is sent to the State employment office closest to the veteran's home.

—The local State employment office contacts all veterans, identifies those with a military health occupation and offers a personal interview.

—The local employment office attempts to locate a job in the health field or offers opportunities for training and educational programs.

The employment counselor will have a list of regional health occupation vacancies and vocational and educational programs which offer courses in these occupations.

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TEXAS TECHNOLOGICAL COLLEGE

The President's Remarks at a Ceremony for the Awarding of Honorary Degrees to President Johnson and to President Diaz Ordaz. October 26, 1967

Mr. President, Mr. Chairman, President Diaz Ordaz, Chairman Mahon, and members of the board:

This has been a very rich and satisfying experience for me today to spend with my friend from across the border.

We talked about how we would continue our efforts developed in the laboratory to rid our cattle of the screw-worm pest. We talked about how we could profitably utilize peaceful uses of atomic energy and the very great desalting experiment that our technicians are carrying on together. We exchanged views about the improvement of our plant life and our food supply.

I thanked the distinguished President for leading the world in developing a new strain of wheat that is now being used in underdeveloped nations in many continents because of the vision and the foresight of the people of Mexico.

I think it is quite appropriate that a technological institution like Texas Tech—agricultural, scientific, one interested in the future of all humanity—should confer the doctorate degree on my distinguished friend, President Diaz Ordaz. I should like also to express my sincere appreciation to you for the high honor that you have conferred upon me.

Texas Tech received its first students in the small west Texas town of Lubbock 40 years ago. Four decades have seen rapid change and growth for that school.

As we know, every advance in technology has opened the door to greater advances. One of the most important goals of my administration has been to make certain that our educational institutions are prepared for what some have called the knowledge crisis. So preparing young people for the world that they will live in is a harder task than ever before.

Two teachers talked about it at some length this afternoon in the Oval Room.

I know if President Diaz Ordaz and I had our wish tonight, certainly high on that priority would be that we would like to see the four persons out of every ten in the world who cannot recognize cat or dog, or spell, or read or write, have the opportunity for all the education that they could take.

President Diaz Ordaz, as you know, spent some of his rather remarkable career in the classroom. I think that Texas Tech does itself a great honor in recognizing that here this evening.

Chairman Mahon is here with us. Education has a/good friend in the man who invited us to have this ceremony here this evening. I don't know that all of you international guests recognize it or not, but George Mahon is Chairman of the House Appropriations Committee.

He is a friend of education. We are spending about $12 billion a year on education. That is about three times as much as we were spending 3 years ago.

After he invited me to this very unique and unusual procedure of conferring a degree on two Presidents in the Rose Garden of the White House, I considered it very carefully. I recognized the precedents that might be involved. But it occurred to me that maybe Chairman Mahon might become an even better friend of education, if I accepted his invitation. So here we are.

President Diaz Ordaz will recall that at Punta del Este we agreed to join the efforts of all nations in this hemisphere in advancing science and technology. We know that we must give these liberators of mankind unprecedented encouragement and impetus.

I trust that President Diaz Ordaz will view this degree this evening from Texas Tech as a token of America's very high regard for him and for all of his people—and as a symbol of the willingness of our schools and our universities to join with those of Mexico in a common effort to advance the cause of learning throughout our hemisphere, because there could be no more worthy objective or goal than for us to have a hemispheric goal of defeating the ancient enemies of illiteracy, ignorance, and disease in this hemisphere.

And at Punta del Este one of the most eloquent voices was that of the great President of Mexico.

We believe, as a result of our meeting here for these 3 days together, that we will not only resolve many matters of mutual interest, but that we will undertake some new goals that could truly benefit not only all the people of the hemisphere, but all humankind.

This week I spoke with two prime ministers from Southeast Asia. And oddly enough both of them talked to me about the food supply of the world and the problems that they had. Both of them talked about the great experiment that we had cooperated with the Philippine Government in making and developing a new strain of rice.

Prime Minister Souvanna Phouma of Laos told me in an 800-acre experimental plot where they once grew 1,200 pounds of rice per acre, they now are growing 7,000 pounds of rice. To a starving world, that means a great deal.

As a result of what the people of Mexico have done under the distinguished leadership of the Mexican Government, the cooperation of one of our great benefactors of this country, the Rockefeller Foundation, we now have what is referred to the world over as a Mexican strain of wheat—Mexican wheat.

It produces two and three times as much yield per acre as the old strain.

So, we hope that in the days to come we can have more new rice strains and more new wheat strains; and more efforts in the field of educating our children and healing our sick because those are really the only goals that count. If we can spend trillions on armaments, as we have in this century, a few billions in education might teach us enough to love our fellow man instead of fight him.

To the board of directors, the distinguished president of Texas Tech, and all those involved in this invitation, we say thank you very much.

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SOCIAL AND ECONOMIC CONDITIONS OF NEGROES IN THE UNITED STATES

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Statement by the President on a Report by the Bureau of Labor Statistics and the Census Bureau. November 2, 1967

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The Negro progress made over the past 6 years was earned by millions of Negro Americans going to school, getting better jobs, making higher wages—motivated by the same drive for a better tomorrow that motivated white Americans during this period of economic expansion. Government helped by opening doors of opportunity. Our civil rights laws have opened doors to jobs, schools, housing, public accommodations, and voter participation that were once closed to Negroes. Manpower training programs have opened doors for skill improvement. Aid to education is providing better schools with better teachers and better facilities. Medicare and Medicaid and other programs are opening the way to better health.

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PUBLIC BROADCASTING ACT OF 1967

The President's Remarks Upon Signing the Bill Establishing the Corporation for Public Broadcasting, With Additional Remarks by Alan Pifer. November 7, 1967

THE PRESIDENT. *Secretary Gardner, Senator Pastore, Chairman Staggers, Members of the Congress, Cabinet, ladies and gentlemen.*

It was in 1844 that Congress authorized $30,000 for the first telegraph line between Washington and Baltimore. Soon afterward, Samuel Morse sent a stream of dots and dashes over that line to a friend who was waiting. His message was brief and prophetic and it read:

"What hath God wrought?"

Every one of us should feel that same awe and wonderment today.

For today, miracles in communication are our daily routine. Every minute, billions of telegraph messages chatter around the world. Some are intercepted on ships. They interrupt law enforcement conferences and discussions of morality. Billions of signals rush over the ocean floor and fly above the clouds. Radio and television fill the air with sound. Satellites hurl messages thousands of miles in a matter of seconds.

Today our problem is not making miracles—but managing miracles. We might well ponder a different question: What hath man wrought—and how will man use his inventions?

The law that I will sign shortly offers one answer to that question.

It announces to the world that our Nation wants more than just material wealth; our Nation wants more than a "chicken in every pot." We in America have an appetite for excellence, too.

While we work every day to produce new goods and to create new wealth, we want most of all to enrich man's spirit.

That is the purpose of this act.

It will give a wider and, I think, stronger voice to educational radio and television by providing new funds for broadcast facilities.

It will launch a major study of television's use in the Nation's classrooms and their potential use throughout the world.

Finally—and most important—it builds a new institution; the Corporation of Public Broadcasting.

This Corporation will assist stations and producers who aim for the best in broadcasting good music, in broadcasting exciting plays, and in broadcasting reports on the whole fascinating range of human activity. It will try to prove that what educates can also be exciting.

It will get part of its support from our Government. But it will be carefully guarded from government or from party control. It will be free, and it will be independent—and it will belong to all the people.

Television is still a young invention. But we have learned already that it has immense—even revolutionary—power to change, to change our lives.

I hope that those who lead the Corporation will direct that power toward the great and not the trivial purposes.

At its best, public television would help make our Nation a replica of the old Greek marketplace, where public affairs took place in view of all the citizens.

But in weak or even in irresponsible hands, it could generate controversy without understanding; it could mislead as well as teach; it could appeal to passions rather than to reason.

If public television is to fulfill our hopes, then the Corporation must be representative, it must be responsible—and it must be long on enlightened leadership.

I intend to search this Nation to find men who I can nominate, men and women of outstanding ability, to this board of directors.

As a beginning, this morning I have called on Dr. Milton Eisenhower from the Johns Hopkins University and Dr. James Killian of MIT to serve as members of this board.

Dr. Eisenhower, as you will remember, was chairman of the first citizens committee which sought allocation of airwaves for educational purposes.

Dr. Killian served as chairman of the Carnegie Commission which proposed the act that we are signing today.

What hath man wrought? And how will man use his miracles?

The answer just begins with public broadcasting.

In 1862, the Morrill Act set aside lands in every State—lands which belonged to the people—and it set them aside in order to build the land grant colleges of the Nation.

So today we rededicate a part of the airwaves—which belong to all the people—and we dedicate them for the enlightenment of all the people.

I believe the time has come to stake another claim in the name of all the people, stake a claim based upon the combined resources of communications. I believe the time has come to enlist the computer and the satellite, as well as television and radio and to enlist them in the cause of education.

If we are up to the obligations of the next century and if we are to be proud of the next century as we are of the past two centuries, we have got to quit talking so much about what has happened in the past two centuries and start talking about what is going to happen in the next century beginning with 1976.

So I think we must consider new ways to build a great network for knowledge—not just a broadcast system, but one that employs every means of sending and of storing information that the individual can use.

Think of the lives that this would change:

—the student in a small college could tap the resources of a great university.

Dr. Killian has just given me an exciting report of his contacts in Latin America as a result of some of the declarations of the Presidents at Punta del Este that he has followed through on and how these Presidents are now envisioning the day when they can dedicate 20 or 25 or a larger percent of their total resources for one thing alone—education and knowledge.

Yes, the student in a small college tapping the resources of the greatest university in the hemisphere.

—the country doctor getting help from a distant laboratory or a teaching hospital;

—a scholar in Atlanta might draw instantly on a library in New York;

—a famous teacher could reach with ideas and inspirations into some far-off classroom, so that no child need be neglected.

Eventually, I think this electronic knowledge bank could be as valuable as the Federal Reserve Bank.

And such a system could involve other nations, too—it could involve them in a partnership to share knowledge and to thus enrich all mankind.

A wild and visionary idea? Not at all. Yesterday's strangest dreams are today's headlines and change is getting swifter every moment.

I have already asked my advisers to begin to explore the possibility of a network for knowledge—and then to draw up a suggested blueprint for it.

In 1844, when Henry Thoreau heard about Mr. Morse's telegraph, he made his sour comment about the race for faster communication "Perchance," he warned, "the first news which will leak through into the broad, flapping American ear will be that the Princess Adelaide has the whooping cough."

We do have skeptic comments on occasions. But I don't want you to be that skeptic. I do believe that we have important things to say to one another—and we have the wisdom to match our technical genius.

In that spirit this morning, I have asked you to come here and be participants with me in this great movement for the next century, the Public Broadcasting Act of 1967.

This act has a host of fathers. Many years ago when I was a Member of the Senate I had a bill prepared. Mr. Seigel drafted it for me on public television. I had difficulty getting it introduced.

I asked Senator Magnuson to introduce it. He did. I am sorry he can't be here today. But he called me before I came over here and explained to me how happy he was that this event was taking place.

I don't want to single out any one person, because there are so many who have worked so long to bring this bill into where it is this morning to be signed.

I do want to recognize, though, in addition to Senator Magnuson, Senator Pastore, the Chairman of the Subcommittee who has spent many days, weeks, and years in this effort, Senator Cotton, the ranking member of that Committee, Chairman Staggers, Congressman Macdonald, Congressman Springer, all of whom have been part of the team that has brought this measure to the White House to make it the law of our land.

I should like to extend a very special work of greeting to Mr. William Harley and the National Association of Educational Broadcasters who are gathered out in Denver today and who are participating in this ceremony by remote control.

As I mentioned before, we are honored to have Dr. James Killian here this morning. We are grateful to him and other members of the Carnegie Commission who provided the ideas and inspiration some of which are incorporated in this legislation.

I think I should add that John Gardner came to me in the early days when he was head of the Carnegie Commission before we brought him in here and suggested this Commission and asked me to help participate in forming it and making suggestions.

We are indebted to Dr. Gardner for this as we are to many things that he has done to provide leadership in the field of what is really important in the world—the education of our people.

At this time I am going to call on Mr. Alan Pifer who is president of the Carnegie Corporation who has a statement that I hope will be of interest to all of you.

Dr. Pifer.

Mr. PIFER. Mr. President, the piece of legislation you are about to sign is of historic import, because it has the potential to enhance immeasurably the quality of American life.

Its passage, I am certain, is a source of pride to you and the members of your administration.

I am equally certain that the 90th Congress will count the creation of the Public Broadcasting Corporation among its most valuable accomplishments. It is significant that this corporation while having the word "public" in its name will be a private institution.

Government funding through the corporation of the new system of public broadcasting is both right and essential. The system cannot come into being or thrive without it.

But equally right and essential is private support for public broadcasting. Private sector responsibility in this new venture is as great as that of government.

The new Columbia Broadcasting System and the United Automobile Workers have already recognized this by pledging gifts of respectively $1 million and $25,000. It is to be hoped that others will follow their lead.

Mr. President, Carnegie Corporation of New York was privileged to be the sponsor of a comprehensive study of public television under the able leadership of Dr. Killian.

We are privileged now in recognition of our faith in the public-private partnership envisaged in the report of that Commission and now made possible by the good work here in Washington to pledge $1 million to the support of the Corporation for Public Broadcasting.

THE PRESIDENT. If there are any other distinguished and generous people, I will be glad to recognize them. If not, I want to express my personal appreciation to Mr. Douglass Cater of the White House staff for the many months that he has followed this legislation and worked on it.

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CONVENTION OF EDUCATIONAL LEADERS

The President's Telephone Remarks to the Joint Convention of the Association of State Colleges and Universities and the National Association of State Universities and Land-Grant Colleges at Columbus, Ohio. November 15, 1967

Doctor Cornette, Doctor Jensen, college presidents and leaders of higher education:

I want to thank you very much for your kind words and the citation you just referred to. I wish I could be there with you this morning, but I do have a busy day here. That is impossible.

Eric Hoffer said not long ago: "America is the only new thing in history." He touched on a theme that has been sounded by many observers, both native and foreign. But what really makes America new? That is what we want to find out. What makes America new? What makes America different?

The answers range far afield—and sometimes far astray: Skyscrapers are something different about America. Supermarkets and superhighways; mass production and mass consumption; the melting pot; rock-and-roll; chewing gum and soft drinks.

But a better answer to what makes America new or what makes us different it seems to me, lies there with you this morning in your meeting; and in the purpose to which you leaders of our education are dedicated.

In England, 5 percent of the young men and women go to college.

In Germany, 8 percent. In France, 16 percent.

In the Soviet Union, 24 percent.

In America, 43 percent—compared to 5 percent in England, 8 in Germany, 16 in France, 24 in the Soviet Union. In the different America, 43 percent and it is still climbing.

Seven percentage points it has climbed in the last 4 years of which I am very, very proud.

For the first time in history, for the first time anywhere on earth, here in this different America is a land where the young person can set his sights on college with the real hope and expectation of getting there.

There is a world of social change summed up in this one sentence: More than half of the young Americans in college today—more than half of them—are the sons and daughters of men who never went to college.

No slogan of democracy, no battle cry of freedom is more stirring than the American parent's simple statement which all of you have heard so many times: "I want my child to go to college."

The workingman wants his son to be a doctor; the salesman wants his daughter to be a teacher; the teacher wants her child to be a reporter; the housewife wants her boy to be President. She had better think twice about that one.

That rising ambition is one of the great stories of America today. In recent years the Federal Government has made many major commitments—I am glad to say—to help fulfill those ambitions which I have just recounted:

—In the last 2 years, our Federal assistance to colleges and universities has doubled: from $2 billion to $4 billion in 2 years. The Federal budget was just a little over $4 billion—the entire Federal budget—when I came to Washington in Herbert Hoover's administration. But it is up from $2 billion to $4 billion in the last 2 years.

—Federal programs to help college students have increased by 1,000 percent—scholarships, loans, and work-study grants: from $147 million in 1965—$147 million 2 years ago—to $1.5 billion this year—$1.5 billion to help college students.

Our commitment, therefore, is reasonably clear. I said shortly after I took the oath of President that one of my first goals would be to see that every boy and girl in this country got all the education that he or she could take.

We want every young man and woman to have all the education they can absorb.

But that commitment goes with a very high price tag:

—For today, more than 5 million young people already are enrolled in colleges and universities.

—In 10 years, there are going to be twice that 5 million—or 10 million.

This is equivalent to increasing enrollments by 50 percent in every single one of our existing colleges and universities—increasing them by 50 percent in 10 years—and then establishing 1,000 new colleges with 2,500 students each.

Even as the students crowd into the colleges and universities, the cost of educating them is still growing.

In these days in Washington, that is one thing that is giving us a lot of trouble: the increased costs of the things we are doing.

By 1975, unless we can ease this financial pinch some way, the annual gap—the gap I am speaking of, between income and expenses in higher education, will be as much as $9 billion.

Yet, as we weigh these costs, we will still hear ringing in our ears all the time the demand of the American parent: "I want my child to go to college."

Then I think, as leaders, you and I must ask ourselves, "What kind of a college do I want my child to go to"?

Even if we meet the challenge of quantity, what about quality?

Will that child be taught by an experienced qualified professor—or by an untrained assistant?

Will most of the professors be Ph. D.'s—or only a minority that have that training?

Will college offer a challenge to the student—or will it simply be a way to pass the time while waiting to grow up?

The decisions must come first from you who are leaders of higher education. You must do the planning and the deciding. That is one reason why I want to talk to you so much today.

College leaders must decide how to use resources more wisely: And that decision may—and I think will—upset some of the cherished old traditions:

Therefore as one who wants our era to be remembered as the education era, this morning I would urge you education leaders to:

One, experiment with new ways to extend the reach of the teacher without short-changing the student.

If this Congress does nothing else but pass the public television bill and if we can concentrate in this country and around the world the interest of educators in educational television, there will not only be reform but there will be real revolution in education.

Again, I think you ought to seek more support from private sources—and here I would say especially business because business benefits so directly from higher education; and the better the education generally the better the profits.

Second, we talk a lot about States' rights. This is a right and an obligation as well. The States must make some hard—and courageous—decisions. They don't like to make them. But they must make them.

In the last 10 years, the Federal share of total spending for education has already jumped from 16 percent to 24 percent—not quite doubled, but almost. But the share of support from State and local government has remained virtually unchanged and hasn't jumped a bit.

So some States and communities are carrying only a part of the burden that they must bear. The courage to tax for education should not be limited to lawmakers at the national level. It does take courage to tax.

You look at the polls on any fellow who recommends, who has enough courage to recommend that you do increase taxes in order to avoid inflation, and you will see what happens to that fellow if he takes the courage to recommend it.

A man more interested in his poll than he is in his people is not going to recommend the taxes for education.

So you must pick your leaders with courage and they must do what is right in the knowledge that ultimately the people will sustain them.

Finally, higher education in the next 10 years I think will call for decisions from the Federal Government: momentous decisions—decisions from the President and from the Congress.

We are already—I think in the last 4 years—committed to do our part and a great deal more than anyone ever felt we would be doing 4 years ago. But what will be the size and what will be the shape of the Federal commitment for the future?

We are going to have to find answers to some of these difficult questions. You are going to have to help us provide the leadership to find the answers and the resolutions to those answers.

First: How can the Federal Government best build on the existing programs we already have to help students pay their way, to help colleges build facilities, to help pay the bills for research and graduate education? That is one of the difficult questions.

The second one: How can we find better ways to develop excellence in higher education? Dr. Gardner, who is in my Cabinet, is constantly talking about developing excellence. I am saying if that is high on your agenda of difficult questions to be answered, how can you—you leaders of higher education—find better ways to develop excellence in higher education?

Third; and I think really quite important: How can we find ways to help colleges and universities with the basic costs of higher education?

The time to begin looking at these difficult questions is yesterday It is now, not tomorrow. I hope that before you leave there today you will enlist as an active participant in trying to help us answer some of these difficult questions.

Just down the road in 1976—it will be 200 years from 1776—we will mark the 200th anniversary of our American Revolution.

I have just gone through historic Virginia. I don't know whether you read about my being at Yorktown or not. I am sure you observed I attended church Sunday.

But as I went through this revolutionary country I was thinking about not the 200 years since 1776, but the next 100 years—the third century.

I am already asking some of America's most thoughtful men and women to draw up a blueprint for our third century—for the next 100 years—and this is going to be an important mammoth undertaking. I am going to ask them to give us a list of specific goals for the years to come—and an accounting of what they will cost.

So let us declare today three goals to be achieved before we even begin our third century in 1976:

By 1976, let us raise from half—from 50 percent—to two-thirds—66⅔ percent—the proportion of high school graduates who enter college. That is a goal we can reach; not just half of the high school graduates going to college, let us make a step and take on a program of seeing that two-thirds of them get to college.

By 1976, let us strike down the last financial barriers to higher education. Let us make it a national policy that you don't have to be born rich to acquire training in this country, to acquire educational resources and to get a college education.

Let the father of a child who is born in a poor cabin with a purple vine growing around the door have an opportunity to get a college education just as the son of America's richest philanthropist.

By 1976, let us do these things—without any decline in the quality, or as Dr. Gardner would say, in the excellence of higher education.

And let us say to each other today and to the Nation: we have only begun to show mankind how broad our vision is—and how far we plan to go.

So let us get answers to these difficult questions:

—How can the Government build on existing programs?

—How can we find better ways to develop excellence in higher education?

—How can we find ways to help colleges and universities with the costs of higher education?

And between now and 1976 let us raise from half to two-thirds the proportion of high school graduates who enter college.

Let us strike down the last financial barriers.

And let us do these things without any decline in the quality of higher education.

Those are goals worth embracing because as a leader in education—and as a leader in government in the early days of my State—one of our great men said that, "Education is the guardian genius of democracy. It is the only dictator that free men recognize and it is the only ruler that free men will accept."

So those of you who are the leaders in the educational field have some goals and have some objectives. I want you to work with me and I want to work with you, not to get another plaque or another award, but to get these goals that I have just outlined realized in the time alloted to us.

I am sorry I cannot be there with you today. I am seeing Ambassador Bunker and General Westmoreland, and am having a lunch with Secretary Rusk and others.

I do have engagements that made that impossible. But I am happy that you are interested and I am grateful for your help.

Thank you very much.

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LIBRARY SERVICES AND CONSTRUCTION ACT AMENDMENTS

Statement by the President Upon Signing the Bill. November 24, 1967

I have signed into law some important improvements in an important statute: the Library Services and Construction Act.

In the past decade, this law has given assistance to libraries serving 75 million Americans.

—Thirteen million Americans have received library service for the first time.

—Local libraries have bought more than 27 million books and other education items.

—719 new libraries have been built.

—$100 million in Federal funds has been matched by $321 million in State and local funds.

The first Library Services Act, passed in 1956, was limited to communities whose population was under 10,000, and to remote rural areas. In 1964, however, we extended the law to serve urban and suburban areas, and broadened it to permit construction of public libraries. Again last year, the law was expanded and improved.

Today's law, in addition to several technical amendments, has two important features:

—Instead of reducing the Federal share in new State library programs—as contemplated in the 1966 amendments—the new law continues the 100-percent Federal share for one additional year. This will strengthen new programs to establish cooperation between libraries, to provide libraries in State institutions, and to give special library service to physically handicapped persons.

It gives me great pride to sign this law, which supports an important national goal: As much education for every citizen as he wants and can absorb.

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MENTAL RETARDATION AMENDMENTS OF 1967

The President's Remarks Upon Signing a Bill Amending the Mental Retardation Facilities Construction Act. December 4, 1967

Mrs. Humphrey, Secretary Gardner, distinguished Members of the Senate and the House, Senator Hill, Chairman Staggers and other very able Members of the Congress and members of the President's Committee on Mental Retardation, ladies and gentlemen:

We are very happy this morning, Mrs. Johnson and I, to welcome all of you here to the East Room of the White House. This is the poor man's wedding chapel.

That is one of the fringe benefits of the Presidency. You can have a wedding here in the house and no one in the country really thinks it is cheap. Actually, we decided to have the wedding here because of one of my most recent experiences in a church.

For the information of any who recognize this as a political year, I want it on the record in advance that we are still, Mrs. Johnson and I, personally paying for Luci's wedding. However, that is no excuse for deficit financing, after all, and there is no truth whatever in the story that George Woods resigned because I asked him for a small wedding loan for Lynda's wedding.

Of course, I do feel a little better that I have a real, warm friend over at the World Bank these days.

After spending all day yesterday baby-sitting and tasting the wedding cake and giving some very high fashion counsel about bridesmaids' gowns and hair-dos, I hope that all of you understand that I feel relieved to come here again this morning and to turn back to the Nation's business, particularly to sign some very vital legislation.

The Mental Retardation Act of 1963 was passsed under the leadership and guidance and strong support of President Kennedy.

Not many years ago mental retardation was a subject that no one really wanted to talk about. It was shrouded in fear and shame and ignorance. Then a very small handful of very courageous women like Mrs. Joseph P. Kennedy, Mrs. Sargent Shriver, and Mrs. Hubert Humphrey took up the cudgels to see if they couldn't ask the American people to help them search for the understanding of the cause of mental retardation, and what the American people could do about it.

Slowly, the idea grew that with encouragement and with training, mentally retarded children could be brought around to leading rather useful lives.

The National Government was then primarily interested and started a movement to try to stir all the people of America to action in this very important field.

I think we have made considerable progress since 1963. Yet I think we should know that there still are a million and a half retarded Americans who are without any community support whatever. There are many millions more who need care who don't get it.

Three-fourths of the retarded in this country who do receive resiresidential care receive that residential care in old, dilapidated buildings, buildings that are more than 50 years old. That is where three-fourths of the children are taken care of.

The waiting lines for residential care are expanding year after year. They are growing longer and longer. Some children today must wait as long as 5 or 6 years to be received.

We have less than half the specialists that we really need to provide care and to provide training.

Although we have come a long way toward dispelling the medieval mystery that surrounded mental retardation, we still care for thousands in facilities that are really not much better than medieval.

We have asked some of our ablest citizens, the medical men and the laymen, to probe the causes of retardation, to tell us what can be done to prevent it, to guide us in caring for those who have been afflicted.

At this point, I want to pay a special tribute to the members of the President's Committee on Mental Retardation. I doubt if there has ever been a Presidential commission that has approached the subject with more dedication, and I hope that we shall be able to say, when their labors have been concluded, that there has never been one that was more effective.

But the fact is, we are still very far behind. We are tragically behind in developing clinics and schools that could help. This bill that Congress has brought to me today will help us get just a part of the facilities that we need. Thousands of seriously retarded children will benefit from it. It will mean the difference between darkness and just a ray of light.

This bill, I think, is an achievement for the Nation. It is a signal of hope for millions of Americans and it is addressed to at least 2 million seriously retarded children. In great part, these Americans have not been crippled by the errors of nature; they have been stunted, rather, by the errors of man. Their minds suffer from the culture of poverty, physical or spiritual poverty, into which they were all born.

Members of the President's Committee have told me about millions of children who are born with normal capacities who emerge from impoverished homes and schools and these experts have shown me maps I wish each Member of the Congress could see, each member of the chambers of commerce and the labor organizations could see. These maps show each case of mental retardation and they locate it with a green pin.

In the suburbs the pins are quite scattered. You see one here, and then another one over there. Downtown the pins are in a clump. They are much closer together. In the inner city and the teeming ghettos, the pins cluster to form a solid green mass.

On these maps that I have seen, the ghetto areas are where the green pins are, are completely green. They look like a good pasture in the springtime when we have had a lot of rain. These areas need attention. These clusters of green pins signify the mental inadequacy of these poor, unfortunate people who need our help.

Retardation may afflict a child not only before he is born, but afterwards. It may be a blow of nature or it may be the result of countless human blows. In either event, the Nation suffers as the child suffers and, of course, as his family bears an unbearable burden. In either event, I think it is clearly the obligation of the Nation to act to relieve this suffering. It is our obligation to do more than we are doing.

That is the point I want to make. We are not doing enough. We must do more. We are going to do more.

So, today we have come here to begin an effort to care for some of those who have suffered most grievously. Our goal is a society where children born with a chance for a full life shall truly have it. This is another step in that platform that we are building.

For what all of your have done—and no one invited himself to this meeting—those who have been active in this effort and who have shown a conscience and a leadership are here this morning, and to those, my friends, who have inspired these efforts, have provided this leadership, on behalf of the 200 million people of this Nation, I say for what you have done, well done; for what you are going to do, I am extremely curious and very anxious. I will be waiting and I will be helping in any way I can.

Thank each and every one of you.

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200TH ANNIVERSARY OF THE ENCYCLOPAEDIA BRITANNICA

The President's Remarks at a Ceremony at the Smithsonian Institution. December 14, 1967

Dr. Ripley, Senator Benton, Members of Congress, ladies and gentlemen:

Senator Benton did say to me coming up here that he wished that I would give him what information I had on politics. I don't know how a man could be very learned in that field and have such a poor poll unless there is something wrong with politics or polls. But I may need to know something about business. It depends on your frame of mind.

I agreed with Senator Benton that I would tell him what little I knew about politics if he would tell me all he knew about business.

The first thing he did was get up here and make a prediction. I thought he was bragging for a moment about how long he had been connected with the Encyclopaedia Britannica until I found out he was predicting what a short time I would be President.

Let's just leave it this way: He is better at explaining things than he is at prophesying.

I would like to quote—and, Senator Benton, if it pleases you, sir—to disagree with something I read in the Encyclopaedia Britannica. I am a concerned Democrat who is exercising my free right of free speech and my right to dissent.

What I read that I disagreed with in the Encyclopaedia Britannica concerned education. This is what it said:

> "Education (consists of) instructing children . . . in such branches of knowledge and polite exercises as are suitable to their genius and station."

That statement appeared in the Britannica, "suitable to their genius and station." It appeared in the first edition of the Britannica 200 years ago. That shows what has happened in 200 years, doesn't it?

I don't believe it. Neither does today's Encyclopaedia Britannica.

For this gift to 1,000 schools that you have talked about underscores the idea that in America education must be concerned not with the station of our young people—not with their station—but with their ability.

By this very generous and farsighted act of yours, placing these Presidential reference libraries in these poor schools attended by our poor children, Senator Benton, you and your organization are helping to give these people power—power to rise above the arbitrary "station" they were born to.

Nothing gives me greater satisfaction than the fact that the old ideas of station and the old ideas of privilege are withering away and are dying on the vine. I think that is especially true in education. Nothing makes me happier than to know that I have had a little part in it in the past 4 years, in creating the conditions that will one day—that will one day—give every child as much education as he or she can take.

I am going to talk to you about what we have done here in a moment. Before you get too tired, I am going to break the bad news to you first. I am going to tell you what we haven't done, and I think it is an international disgrace—that there are human beings walking around on two legs in this day and age who would permit a condition like this to continue—where four people out of ten can't read "dog," can't spell "cat," and can't write "mama."

That is the kind of civilization we are leading. Some people are satisfied with it. Some people are content with it. Some people are apparently willing to let us stay that way for fear we are going too far too fast.

I don't feel that way about it. I am happy that we are doing something, not only to let people out of poverty, but something to let every boy and girl have all the education that he or she can take.

The day before yesterday I went to a little town near my home where we had a junior college just established. We had a program—the Higher Education Facilities Act of 1965. Under title V, you could build libraries. The Federal Government put in 50 percent and the local people voted a bond issue and put in 50 percent.

Anyway, we planned for a junior college so boys and girls could stay with mama and papa and live at home—eat mother's cooking, so they wouldn't have to go to a dormitory that they couldn't afford—and go to a junior college, and get 2 years of college.

In 1900 we had eight junior colleges in this country. When I became President we had 600-plus junior colleges in this country. Today we have 900 junior colleges. In 3 years we have added 300 junior colleges—one or two opening every week.

We took a poll. It wasn't a little Harris poll or a Gallup poll. They get awfully busy working for other people this season of the year.

But we took a poll. There were 150 students who were eligible for that junior college. The people voted a bond issue. We built the junior college. We opened it the day before yesterday. I went by there to pay my respects and take a look at it.

I said, "Where are your 150?" They said, "They are out there with 1,850 more. We have an enrollment of 2,000, eager, yearning, seeking knowledge." This is the first time they had the facilities, equipment and staff, and so forth, to give it to them.

I am glad that Senator Benton and his vision and his generosity are going to make available the Encyclopaedia Britannica. I hope it is not one 200 years old, because that school is Cotulla—Cotulla. It is a Latin-American school. You probably have the Latin pronunciation.

But we didn't have an Encyclopaedia Britannica then. We didn't deal with this business of station. Johnson City doesn't have an Encyclopaedia Britannica either, or didn't have when I went to school there some years ago.

I am glad you are recognizing those two.

But what makes me prouder than ever, Senator, is that for many years you have been in the forefront of a movement in this country to get the Federal Government deeply concerned about giving every boy and girl all the education that he or she can take.

When you take that slogan, or that motto, or that objective, I think that is a rather remarkable development. There has never been anything like it in the history of the world. The horizon of opportunity has been broadened for millions of children—young children.

You know what we are doing for education in this country and what we have done in the last 3 years, too. Because the Federal aid to education was a very dirty word in all my campaigns for 24 years—12 years in the House and 12 years in the Senate.

But we are giving them education in Head Start at 4 years old. You move down the street two blocks and we are teaching them to read and write at 74 years old.

Aren't you proud of that kind of a program?

In 3 years the number of children from 3 years old to 4 years old in nursery schools in the United States—children 3 to 4 in nursery schools in the United States—has jumped 29 percent—in 3 years.

The dropout rate is down by more than a fifth in 5 years.

There were 4.3 million students in college in 1963, when I took the oath of office. Today there are 6 million—not 4 million—6.1 million in college 3 years later. We haven't got this year's gain—4 to 6 to 7, whatever it is.

The Federal Government has had a very major role in education. That may be one of the big reasons for our deficit. We don't like deficits. We don't want deficits. We are going to try to do something about deficits. But the big deficits we have had in this country have been in the deficits in education, and the deficit in health. We are doing something about those deficits, too.

In the last 3 years our educational spending: when I became President it was $4 billion a year—today it is $12 billion a year. In 3 years, up 3 times.

Our spending for university research has gone up 61 percent in the last 5 years—and is now bearing the sort of fruit that you are going to be reading about tomorrow morning.

What are you going to read about tomorrow morning? It is going to be one of the most important stories that you ever read, your daddy ever read, or your grandpappy ever read.

At this very moment, the biochemists at Stanford University are announcing a very spectacular breakthrough in human knowledge. They have for the first time finally succeeded in manufacturing a synthetic molecule that displays the full biological activity of a natural molecule in a living organism.

In the words of this Nobel Peace Prize winner, and others associated with him, they have come "the closest yet to creating life in the laboratory" by manufacturing "the living genetic material of a virus." When this man-made viral material infected bacteria, it began to reproduce itself.

Think about the state ordaining life. This is going to be one of the great problems—one of the big decisions. If you think about some of these decisions the present President is making—it is going to be a kindergarten class compared to the decisions some future President is going to have to make.

These men have unlocked a fundamental secret of life. It is an awesome accomplishment. It opens a wide door to new discoveries in fighting disease and building much healthier lives for all human beings. It could be the first step—these great laboratory geniuses say—toward the future control of certain types of cancer.

The work of these scientists, headed by Dr. Arthur Kornberg, is living proof of the creative partnership which has developed over the years between science, between the universities, and their Government. If you want to say "Federal", then "Federal Government."

We are quite proud that their explorations have been made possible by public grants from the Federal Government's National Institutes of Health and their National Science Foundation.

We are quite proud that there has been a substantial drop, as a result of our program for children—our appropriations in behalf of medicine for children—in the infant death rate.

There has been a substantial drop—we hope it continues as it shows now—in our death rate. How much that is connected with the fact that all of our people over 65 have a chance to have medicare and hospitals, have a chance to have their doctor bills paid, have a chance to go to a nursing home, have a chance for your mothers, fathers, grandmothers, and grandfathers to be taken care of—how much that is having to do with the declining death rate is a matter of conjecture. We can't prove that. I don't want to get my credibility involved any more, because I have all the election year problems I can deal with now.

But I want to ask you, when you read about what they are doing here at Stanford, when you read about what they are doing out here at NIH, when you read what they are doing at Head Start, when you read about what they are doing with 74-year-old men and women learning to read and write, and when you read about cutting that infant death rate, you read about reducing that total death rate in the country, and you read about pulling people up above the poverty level by the millions for the first time—is there any satisfaction in the world that can really be greater than bettering humankind by educating the mind and building and preserving the body?

I was thanking Senator Benton for some more of his generosity. He came to see Mrs. Johnson the other day. He had admired some paintings in Senator Lehman's office many years ago. He went down to the art gallery when he got enough money to pay for them and bought some himself. He saved them through the years and treasured them very much.

He saw Mrs. Johnson and said, "I want to give this to my country. I want to give it to the White House." That beautiful painting is there in the White House where it is admired every day by thousands of Americans who come and go from that house—that first house of the land.

But what Senator Benton and his people are doing here today is going to live long after people forget that beautiful painting.

The knowledge that he is going to open up and expose to these children—the information—in all the Cotullas and Johnson Cities and other places of the land—is going to pay results long after the pictures have faded.

So I want to say that as man continues with this work—education and health to make these wonderful discoveries such as Dr. Kornberg has just made at Stanford University—I devoutly hope that men like him will grow in the wisdom that is needed to apply the results of this study to all mankind.

I remember how frightening it was when we split the atom—how frightening it still is. But thank goodness we have had the wisdom of men with prudence and understanding to deal with this problem.

I devoutly hope that men like Dr. Kornberg will grow with wisdom in the years.

While this is being announced today—this afternoon, tonight, at Stanford University, across the land—another great experiment is under way all across America. That is one that Senator Benton is participating in. That is in unlocking the power—unleashing, not Chiang Kaishek—but unleashing the power of the human potential.

Unleashing the power of the human potential has always been the American dream in this country. If we can keep the momentum of education going—it is going to slow some when we start balancing these budgets and we try to have guns and butter, and try to protect our freedom with one hand; keep our guard up and our hand out with education and health and the others—we cannot do it all overnight.

But we are moving forward. We are moving again. That curve is going up in education and in health.

If we can only improve the quality of education and the quantity of education at every level, and we can make education available to every child. There are really not many types of children. There are not many types of human beings. And there is really not any difference in them. They have two legs, two arms, and just three colors.

If we treat them all alike—my little Luci made the best civil rights speech I have ever heard.

She said, "I don't understand why all of this misunderstanding and hatred and everything about civil rights." She was 11 years old. She was out in California.

I was frightened to death that she was going to eliminate me from the race with the civil rights speech.

But she said, "I have white hair and blue eyes and my mother has brown hair and brown eyes, my sister has olive skin and dark hair and my daddy—what little hair he has got—has black hair. He is fair. We all have different colors. I have different colored hair, different colored skin and we have the most wonderful family. We just get along fine. If we can get along well together, I don't know why all the world can't get along together."

So if we can make an education available to all who are fair, all who are blonde, all who are brunette, and all the different colors, all with the same legs, same arms and the same hearts, if we can do that we shall make this country the America that we want it to be.

We shall make this country the American reality. We shall make this country the land that our great grandparents thought they were coming to when they first set foot on our shores.

Pardon me for asking you to stand this long. I appreciate your indulgence. I always have the feeling that I enjoy talking about the potentials, the human potentials and bettering humankind, by conservation, by education, by medical care and health care—I enjoy talking about it perhaps more than some people enjoy hearing it.

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